JOANA COOK & SHIRAZ MAHER (EDS)

THE RULE IS FOR NONE BUT ALLAH

ISLAMIST APPROACHES TO GOVERNANCE

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JOANA COOK and
SHIRAZ MAHER
(*Editors*)

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Islamist Approaches to Governance

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For Henry Sweetbaum,
who started it all

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ACKNOWLEDGEMENTS

Our interest in the subject of Islamist governance grew out of the Arab uprisings of 2011, when the kaleidoscope of Islamist fortunes—across the very broad spectrum of groups to whom such a moniker might be applied—was dramatically shaken. The contours of power in the Middle East appeared to be in greater flux than at any moment in the previous century.

Whilst violent insurrections such as those in Syria, Yemen, and Libya dominated the headlines, it became clear that Islamist parties were being impacted in several different ways. We wanted to better understand these changes, to contextualize them, interrogate them, and situate them historically. To do this, we applied to the Gerda Henkel Foundation, a leading German grant-making body through its special programme on 'Islam, the Modern Nation State and Transnational Movements.' Our first acknowledgement of gratitude, of course, is to the foundation for their decision to support this initiative.

The project was launched in 2017 and administered through the International Centre for the Study of Radicalisation (ICSR), an academic research centre based within the Department of War Studies at King's College London. Both authors worked at the centre during the project's inception and would like to thank a variety of people in this regard.

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note they all successfully completed doctorates linked in some way to the subject matter of this book. We are also especially indebted to Johanna Inness, ICSR's head of operations, who consistently created an enabling environment for our research. She has been ably supported in this role by Alexandra Bissoondath. At King's College London, we would like to thank the two heads of department who supported and encouraged the project: Michael Rainsborough and Michael Goodman. Joana would additionally like to thank Thomas Renard of The International Centre for Counter-Terrorism (ICCT) and Joachim Koops of Leiden University (ISGA) for providing the space and support to complete the final stages of this book.

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Throughout the compilation of this book, we have also gained from exchanges with friends who provided valuable insights. We would like to acknowledge and thank John Bew, Alexander Meleagrou-Hitchens, and Devorah Margolin. Special thanks must go to Martyn Frampton, who served as a sounding board throughout this project and who repeatedly offered extremely constructive advice. Aymenn Jawad Ali al-Tamimi also remains an invaluable and indispensable reference point, as always. Aaron Y. Zelin also helped us think through several important aspects of the book. We must also thank, of course, the anonymous reviewers who provided an outside perspective, offering helpful and constructive comments which helped us tighten up the final manuscript before publication. We also wish to thank Jorin Dijkstra, Martijn Vugteveen, and Oliver Ryan Tucker for their research assistance.

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A NOTE ON TRANSLITERATION AND CONVENTION

We have transliterated Arabic terms in this book using a simplified version of the International Journal of Middle East Studies (IJMES) convention, without diacritic or punctuational markings. Hence, no ‘ayn and hamza conventions are noted (e.g., ‘Abd or shari‘a or ‘ulama’). This has been done to make the book more accessible and user-friendly for the general reader.

As the convention dictates, there are no diacritic markings for personal names, place names, or names of political parties and organizations. With regard to footnotes, where an author has published works in English, we have respected their choice of how their name is rendered (e.g., Abdul instead of ‘Abd al). The same applies for renderings of common Arabic words that appear in book or journal titles. For example, the footnotes will show shariah, sharia; or umma and ummah.

Names are given their widely accepted English spellings of e.g., Gamal Abdel Nasser for ease of reference and familiarity. Names also follow the convention where a connecting term such as ‘Ibn’ or ‘Bin’ comes in the middle of the full name, then it appears with a lower case, whilst if it appears without the forename then it is capitalized. Hence it would be Osama bin Laden or simply Bin Laden. Finally, the plurals of some Arabic terms, such as ahadith, have been simplified with English plurals to make it easier for general readers (e.g., hadiths).

On a final note, references to ‘Islamic State’ (also known as Islamic State of Iraq and Syria/Sham/Levant) appear throughout the book as a proper noun, because it refers to an organization. In that sense, it is used in the same way as al-Qaeda or al-Shabaab. It is never prefixed by a definite article, such as ‘the’ or ‘an’ which might infer recognition or confer legitimacy upon Islamic State’s claims to statehood or the caliphate.

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INTRODUCTION

ISLAMIST APPROACHES TO GOVERNANCE

Shiraz Maher and Joana Cook

‘Rush, [oh!] Muslims to your state. Yes, it is your state. Rush, because Syria is not for the Syrians, and Iraq is not for the Iraqis,’ said the leader of Islamic State Abu Bakr al-Baghdadi as he stood on the pulpit delivering his first and only public speech to declare the establishment of a caliphate. ‘The state is a state for all Muslims. The land is for the Muslims, all the Muslims. O[h] Muslims everywhere, whoever is capable of performing *hijrah* (emigration) to the Islamic State, then let him do so.’[1]

Baghdadi was standing on the pulpit of the historic al-Nuri Mosque in Mosul, Iraq, in 2014 as he delivered a dramatic, arresting piece of theatre. He had arrived unannounced and used the first congregational prayers on Friday during the Muslim holy month of Ramadan—a month of piety and penance—to declare his caliphate. Dressed in black robes, he slowly ascended the pulpit, careful to always lead with his right foot. He spoke in classical Arabic, deploying all of its lexical eloquence while doing so.[2] Of course, part of the Islamic State’s gained global notoriety stemmed from its ability to harness the power of spectacle, even when deploying tactics of ultra-violence.

The group's violent exploits across the Levant—which resulted in over 50,000 people from around the world joining the group—both popularized and skewed the concept of a caliphate.[3] Certainly, more people around the world are now familiar with the term today than would otherwise have been had it not been for Abu Bakr's al-Baghdadi's ascendency and the project that he led. This association has meant the term has also become synonymous with violence, terrorism, death, conquest, the seemingly arbitrary operation of justice, and imposition of brutal penalties for criminal transgressions. In this respect, it has become the synecdoche by which all such governance projects have now come to be defined.

The antecedents of contemporary political Islam are long and varied, having existed in one form or another ever since the collapse of the Ottoman Empire. Almost all these contemporary groups see the dramatic rise and fall of Abu Bakr al-Baghdadi's Islamic State as a distraction, a noisy aberration that pulled focus from their own political aspirations. Even other jihadist groups, like al-Qaeda, condemned ISIS for using what they regard as heterodox or esoteric Islamic precepts over more mainstream ones.[4] But the case of the Islamic State described above raises important questions: what exactly is an 'Islamic State,' or indeed, what should it be?

It is not the intention of the authors to suggest all Islamist movements are all the same. It is clear that of the major groups pursuing Islamist political goals, they often have substantive differences on key issues. These can range from differences pertaining to the civic and administrative construction of their state, to the use violence, to the exercise and rotation of power, to how they interpret and codify Islamic jurisprudence. Indeed, it is because there is no single 'mode' of Islamist expression that this book aims to showcase how different groups (both those who pursue legitimate and legal projects and non-state actors who pursue this through violence), in different environments, at different times, have approached different aspects of Islamist governance.

Although we offer a working definition of Islamism for the purposes of our study, we do not revisit definitional debates about Islamism because this is already well-trodden territory in the literature.[5] We recognize that Islamism is also more recently a loaded, contested, and often emotively employed term. In the post-9/11 environment, it is also a term that has typically evoked fear and suspicion in the West, having become largely

synonymous with extremist or fundamentalist thinking. There is also a fierce debate, not just over how the term is understood, but also whether it should be used at all. Is Islamism an artificial, orientalist construct developed by colonial powers referring to those 'seditious to colonial/imperial interests?'[6] Or is it an important and necessary term, distinguishing Islam as a ritualistic faith from those who seek to construct it in political forms? 'Islamism is about political order, not faith,' writes Bassam Tibi. 'Islamism is not *mere* politics, but religionised politics.'[7] Proponents of such a view argue that Islamist political movements even use the Arabic term themselves—*Islamiyyoun*—thereby self-identifying with the concept. Detractors of such a view dismiss it out-of-hand, arguing that politics is an inherent and inseparable aspect of Islam, and that attempts to argue otherwise represent a disingenuous attempt to revise the faith.

For the purposes of this volume, we treat Islamists as those who: (i) believe Islam to be a comprehensive political ideology; (ii) place this at the centre of their identity, as the most significant or only source; (iii) regard the political realm as needing to distinguish between Muslims and 'the rest'; (iv) revert to scriptural authority (however interpreted—either loosely or dogmatically, inspirationally, or in doctrinal form) as the sole or primary source of law; (v) believe in an Islamic model as being necessarily distinct and opposed to legislative systems based on human reasoning, public opinion, and social consensus when considering issues relating to morality and ethics; and (vi) believe that the purpose of the political system is to satisfy the *tawhid* (monotheism) of Allah, whilst simultaneously offering its citizens a soteriological programme—which means a doctrine of salvation.

When arriving at the definitional framework proposed above, we considered the manner in which global histories of other ideologies, such as communism, were put together. Global histories of that phenomenon have, for example, considered everything from the Bolshevik Revolution, to the collapse of the Soviet Union, to the rise of China, the actions of the Khmer Rouge, to the autocracies of Castro or Kim Jong-Un in Cuba and North Korea respectively, within a single analytical volume.[8] Indeed, such monographs have been received without controversy because, although the individual case studies they contain are varied, they all revolve around a shared epistemic base.

We are also considering movements who all share the same epistemic political base: in this case, a soteriological one, with the practical realization of that vision taking many different forms. In a way, that is the real purpose and contribution of this volume—the consideration of what it is these groups are trying to achieve, and how they're trying to achieve it. It ultimately demystifies Islamist actors by situating them alongside the broader context of other epistemic political phenomena (such as communism) whilst also placing them within the academic spectrum of studies related to issues such as rebel governance (which is considered in more detail below).

The Islamist project is uniquely revolutionary insofar as it seeks to establish political mores that are distinct from those of the secular liberal democratic order. This even applies to groups such as Tunisia's Ennahda who appear, prima facie, to operate in ways that are easily reconcilable with democratic forms, although their starting premise remains grounded in a fundamentally different epistemic base. Indeed, it could be argued that one of the Muslim Brotherhood's most famous and celebrated theorists, Sayyid Qutb, is the intellectual fountainhead for all of this with his development of the concept of *jahiliyya* (ignorance) as a political principle. Placed in its historical context, the period of *jahiliyya* refers to pre-Islamic Arabia, referencing a time and people who had fallen so far from the true understanding of monotheism that God condemned them as ignorant before offering a final opportunity for salvation through Islam. Viewed in this way, the term is endowed with huge emotional and historical significance. Sayed Khatab, who has studied Qutb's works extensively, offers the following pithy but effective definition of *jahiliyya*, noting, 'it is the opposite condition to Islam.'[9]

This explains why our volume captures a cast of characters as diverse as Ennahda, the Muslim Brotherhood, the Saudi *sahwa* (awakening), through to the Taliban, Hayat Tahrir al-Sham, and Islamic State. Indeed, the groups contained within this study demonstrate the remarkable resilience of the Islamist political project. This resilience has endured a period of significant contemporary change, including the most intense crackdowns whether in the context of a global 'War on Terror' or through domestic repression in places as far and wide as Indonesia, Saudi Arabia, Egypt, and Libya.

This book is consequently guided by several overarching questions: what does Islamist governance look like in practical terms? What tactics

have different groups employed in the pursuit of governance to their goals? How has this supported, or detracted, from their fortunes? What were the main factors that influenced the evolution or change within different groups? We interrogate these questions through four thematic approaches: (i) constitutional approaches to governance; (ii) legitimization of governance; (iii) social welfare activism; and (iv) competition between state and Islamist actors. In this introductory chapter, we first discuss the imperatives for an Islamic state and the Islamist quest for statehood. Next, we also consider what the field of rebel governance can tell us about Islamist governance, and indeed what Islamist governance can bring to this field. Finally, we discuss how this book proceeds by briefly introducing each chapter.

The imperatives for an Islamic state

Islamists believe they must strive for the creation of an Islamic state where a caliph will serve as God's vicegerent on earth. These imperatives spring from a variety of different factors, including: (i) doctrinal obligations; (ii) social and cultural fears; and (iii) political realism. Put another way, these factors explain why the pursuit of an Islamic state is important to Islamists.

Each is considered in turn below, although it is important to first state that no value judgement is being offered by the authors here. That is to say, Islamism as a concept is not declared 'good' or 'bad', or representative or not of Islamic practice. This volume instead seeks to offer dispassionate analysis of the issues at hand by giving consideration to the factors which Islamists themselves prioritize.

Doctrinal obligations

Many of Islamism's most devout adherents believe that God has obligated the creation of a caliphate in which all forms of governance, economics, social order, and the judiciary are informed by scriptural diktat. All other political systems are an affront to God's sovereignty and usurp his status as a lawgiver, thereby exposing those who participate in such political systems to heresy.

Groups such as Hizb ut-Tahrir (a pan-Islamic vanguardist movement whose name means 'party of liberation') provides an instructive example of this belief. Using a highly doctrinaire approach based on the simple and

decontextualized presentation of Islamic scripture, they argue that any state which is not theocratic is heretical because it gives 'the right of legislation to the people and not to the Lord of the worlds.'[10] To justify that position, like almost all other Islamists, they point to verse 12:40 of the Quran, which states 'the rule is for none but Allah'—the verse from which the title of this book is drawn. The point of this 'rule being for Allah' is to establish a society in which Islamic precepts and God's rights are secured through the political system. Interpreting this verse, and others like it, one of Islamic antiquity's most highly regarded scholars, Taqi al-Din Ahmad ibn Taymiyyah (1263–1328), argued that 'God has commanded us to enjoin the good and forbid the evil, and this duty cannot be rendered without power and authority.'[11]

Some therefore argue that the absence of a caliph and, by extension, God's sovereignty, negates one of the attributes of his monotheistic qualities known as *tawhid al-hakimiyya*.[12] The concept of *tawhid* is the single-most important aspect of Islam as it relates to the concept of monotheism. Arguably, if Islam could be reduced to a single word to capture its core message, it would be *tawhid*.[13] This is because Islam's self-proclaimed raison d'être—the story believers tell themselves about why God revealed the religion—is that it came to challenge the prevailing culture of polytheism in the Arabian peninsula, and Makkah in particular, after the Arabs had fallen into paganism, thereby losing the original message of Abraham. This underscores the emotive resonance of Qutb's charge of contemporary Muslim societies as having regressed into political *jahiliyya*, as explained above. Muslims therefore obsess with trying to satisfy the various conditions of God's unity, which includes things like unity of lordship (*tawhid al-rububiyyah*), recognising God as the supreme being; the unity of divinity (*tawhid al-uluhiyyah*), worshipping God devotionally; and the unity of God's names, qualities, and attributes (*tawhid al-asma wa-l-sifat*), recognising his unique attributes like omnipotence or being self-sustaining and eternal.[14]

This stratification of *tawhid* into its various constituent parts is used by some Muslims to identify and target different aspects of God's unitary being. Thus, for example, ritualistic aspects of faith such as praying, fasting, or giving charity would only satisfy the *uluhiyyah* aspect of *tawhid*. Those actions would need to be coupled with other things too, such as

intellectually affirming a belief in God's omnipotence to satisfy the conditions of *tawhid al-asma wa-l-sifat* and facing Makkah whilst performing the physical act of prayer to satisfy the conditions of *tawhid al-rububiyyah*. This helps Muslims strive towards becoming 'true' monotheists, helping them understand the iridescent ways in which God is to be worshipped.

Some of those who prioritize the political aspects of Islam argue that another category is needed when considering *tawhid*, which is *tawhid al-hakimiyya*: the unity of ruling.[15] Within *Salafi-jihadi* literature, the starkest articulation of this came from the Egyptian cleric Abu Hamza, who is now serving a life sentence in the United States for terrorism offences. 'Hakimiyya is directly associated with *tawhid*,' he wrote.[16] Elevating the concept of governance into a separate and distinct branch of God's monotheism makes the unspoken corollary clear: it is impossible to truly satisfy the conditions of God's monotheistic nature without striving for some form of Islamist governance. Those who fail to do so are deficient, have failed God, and have not worshipped him adequately in all of his myriad ways. The implications for a devout Muslim are serious; without an Islamic state, they reason, there is simply no way to satisfy all the conditions of monotheism, and every Muslim is therefore deficient in their faith. Although this is not a universal view, it is a common and strongly held belief among many Islamists.

Social and cultural fears

Beyond these doctrinal imperatives for Islamist governance, there are other considerations too. Egypt's Muslim Brotherhood, for example, is perhaps the most well-known Islamist group operating today with its own historical trajectory explaining why so many Islamist groups regard an Islamic state as offering an urgent and necessary bulwark against the incursion of Western culture.

Originally founded in 1928 by Hasan al-Banna, a schoolteacher from Mahmoudia, the Brotherhood was initially concerned with education and other aspects of social welfare in the hopes of 'correcting' and 'purifying' the collective spiritual soul of Egyptian society, which they believed had suffered under British rule.[17] Years later, Sayyid Qutb would foreground a more urgent sense of moral and spiritual panic within the movement after

returning from a formative experience in the United States. His thoughts are captured in a pamphlet called *The America I Have Seen*, which is based on a series of letters he wrote during his time there.[18]

Over a two-year period, Qutb grew increasingly disillusioned with what he regarded as the decadence of American culture which, despite its ostensible progress, seemed to be devoid of any morality. 'I fear that a balance may not exist between America's material greatness and the quality of its people,' he wrote.[19] Famously, Qutb was repulsed by witnessing a church dance in Greeley, Colorado, where men and women danced together late into the evening. 'They danced to the tunes of the gramophone, and the dance floor was replete with tapping feet, enticing legs, arms wrapped around waists, lips pressed to lips, and chests pressed to chests,' he recalled. 'The atmosphere was full of desire.'[20]

The experience left an indelible mark on Qutb. The danger was that this culture would be transposed onto the Muslim world, with imams soon hosting dances in their mosques, preoccupying themselves with the frivolities of the ambience, mood music, and lighting. Qutb, who had been a journalist and who wrote primarily as a cultural and literary critic up to this point—often in ways which drew criticism from both leftists and Islamist writers who accused him of being too deferential to Western culture over Arab culture—would now begin writing more as a Muslim concerned with political aspects of social and moral reform.[21]

In this regard, Qutb was building on growing momentum in the Indian subcontinent, where another former journalist turned Islamic thinker, Sayyid Abul Ala Maududi, was becoming an increasingly important figure.[22] Maududi's rise to prominence followed the growth of the movement for Indian independence, leaving Muslims to increasingly hypothesize about what role they might have in a future independent state before backing the creation of Pakistan as a separate homeland for Muslims. Thinkers like Maududi opposed the modern West because they equated it with spiritual decline which, in turn, they believed had resulted in imperialism, oppression, exploitation, and decadence. Such views were widespread in the subcontinent.[23] These figures believed that whilst the West had enjoyed significant scientific and material output, without God, this ultimately ignited the destructive and greedy tendencies of man. Hence, there was a rush for resources and a drive towards the increasing

mechanization of war during the first half of the 20th century. Things would have to change, and the East would take up the challenge by refracting their own, relatively newly independent political systems through the prism of Islam.

These calls for Islamic social reform have mostly gone unrealized, as major countries such as Pakistan and Egypt stagnated under decades of chaotic, disorganized rule often under ‘emergency’ legislation overseen by despotic military leaders. Groups such as the Brotherhood and Jamaat-e-Islami have therefore tried implementing modest social welfare projects at home—as have, further afield, Hamas and Hezbollah. But what they really want is their hands on the levers of power.

Political realism

Frustrations about the modest impact of the approaches above have propelled political Islam’s most violent actors to argue for a complete rejection of the prevailing status quo based on political realism. Working within the system only legitimizes it and co-opts those who engage with it, they argue. It is a chimaera, as is the broader internationalist system, which merely represents another tool of colonial control through institutions such as the UN, World Bank, or International Monetary Fund. This is why jihadist groups insist on the reservation of violence as the primary means through which to realize change because, for them, there is no other way. Islamist groups who to work within the system, such as the Muslim Brotherhood or Jamaat-e-Islami, are therefore condemned as being naïve, at best, or at worst, fig leaves for the very oppression they profess to oppose. Ayman al-Zawahiri, who led al-Qaeda after Bin Laden’s death in 2011 until he was himself killed by a drone strike in 2022, dedicated an entire book to condemning the Brotherhood’s efforts in this regard entitled *Bitter Harvest: Sixty Years of the Muslim Brotherhood*.[24]

In this worldview, the entire construct of the political system, both internationally and domestically, serves as a tool of imperial control. Muslim societies have been pared into artificial nation-states by colonial overlords who imposed Westphalian notions of sovereignty to keep Muslims divided. The problems of the Muslim world, therefore, whether territorial, economic, political, or social, all stem from disunity and the lack of Islamic governance. Only an Islamic state could reverse this.

This was the view of Abu Musab al-Suri, a senior al-Qaeda commander who was arrested in Pakistan in 2005 before being rendered to Syria. Nothing has been known of him since then, although there are credible reports that he was killed whilst in Syrian custody in November 2011.[25] Suri wrote:

> Whoever looks at these established borders, curved and strangely twisted as they are when they draw the maps of our countries, see the drawings by the pens and rulers of the infidels in the colonial powers' ministries. It is strange, then, that these borders have been engraved in the minds and hearts of the majority of the sons of this Islamic Nation. It is astonishing that this catastrophe is not older than a few decades only. It happened after the downfall of the Islamic nation's broad political entity in 1924, with the fall of the last of the symbolic Caliphs of this nation.[26]

These states are all believed to be led by client rulers who serve the interests of Western states, thereby perpetuating the status quo. Consider this speech from Osama bin Laden about Palestine, a perennial issue in Islamist circles:

> We won't recognise any state for the Jews, even if on one hand span of the land of Palestine, the way all the Arab rulers did when they adopted the governor of Riyadh's initiative a few years ago [a reference to the 2007 Riyadh Summit where the Arab Peace Initiative towards Israel was near-unanimously endorsed by the Arab League].[27]

Bin Laden perfectly captures the sense of betrayal Islamists feel from existing Muslim rulers. In this case, he argues that jihad has become incumbent due to two reasons borne of the prevailing political reality. The first is that it is the only means by which to remove treacherous regimes that rule over Muslim lands. The second is that, because those regimes have failed in their duty to protect Muslims, then the global community of Islam has become vulnerable to assault.

Once the Arab uprisings of 2011 arrived, there was a sense of euphoria within the jihadi movement. Now, for the first time, they believed they

would have a chance to recast the contours of power in the Middle East in line with their beliefs. With the existing power structures of repressive regimes being swept away, they believed it would provide an opportunity to realize their wildest dreams. For a moment, it seemed as if they were right. Groups like Ennahda and the Muslim Brotherhood realized power through legitimate elections in Tunisia and Egypt respectively. Elsewhere, in Libya and Syria, violent upheavals underscored the relevance of violence and empowered a diverse cast of militant actors. The possibilities seemed endless. An editorial in al-Qaeda in the Arabian Peninsula's *Inspire*, published by Yahya Ibrahim (a pseudonym), outlined the group's ambitions:

> The biggest barrier between the mujahidin and freeing al-Aqsa were the tyrant rulers. Now that the friends of America and Israel are being mopped up one after the other, our aspirations are great that the path between us and al-Aqsa is clearing up. There could be no freeing of Palestine with the presence of the likes of King Abdullah to the East, Hosni Mubarak to the West and al-Saud to the South.[28]

The point about this realist approach is that it both attaches and invests significant temporal power to Islamic governance, viewing it as the springboard from which grievances—whether historic or current—can be addressed. Islamists lament the lack of what they regard as a sufficiently muscular or militant political authority whenever controversies arise over touchpaper issues such as cartoons lampooning the Prophet Mohammed. Only a true Islamic state would prevent and avenge such outrages, they reason.

Much of this reasoning is based on a politicized reading of the Prophet's life, known as the *seera*, which suggests that he had to establish an Islamic state to protect and empower himself. Thirteen years after the dawn of Islam, the prophet migrated to Madinah (previously known as Yathrib), marking the end of a challenging period in Islamic history. The Prophet had been on the backfoot in Makkah, boycotted, starved, and attacked. He was also the target of an abortive assassination attempt. The community around him was similarly assailed and even produced the first martyrs of Islam due to the intense repression they faced. All of this changed following the migration to Madinah, where the community of Islam experienced a

dramatic reversal in fortune. They were now empowered, stronger, and consequently able to spread the message of Islam much more widely than ever before. Islamists therefore regard this incident as being endowed with profound political significance and something that has instructive lessons for them today.

The Islamist quest for statehood

Having established why an Islamic state is important for Islamists, this section explores the different ways in which various groups have sought to realize their aims. An obvious distinction in approach becomes immediately apparent between: (i) constitutional actors who pursue legitimate political avenues to affect change; and (ii) those using violence through either insurgent or terrorist means to force change.

Constitutional actors

Some of the world's longest-standing and best-known Islamist movements can be classified as constitutional actors, among them the Muslim Brotherhood in Egypt (founded in 1928) and the Jamaat-e-Islami in Pakistan (founded in 1941).[29] Both are well-entrenched in the political landscapes of their respective countries, seeking to promote more conservative campaigns domestically. Both also started as social welfare organizations in one form or another, concerned with furthering tangible, modest goals before expanding their ambitions over time. For present purposes, it is the original Brotherhood and Jamaat groups that are being considered as constitutional here, and not any offshoots they may have spawned (some of whom pursue violent means). Chapters on both groups appear in this volume, offering insights into their beliefs and methods.

One of the most interesting groups to appear within the constitutional category was the *Sahwa* (awakening) in Saudi Arabia that emerged in the late 1980s but gathered pace in 1990 after Saddam Hussein invaded Kuwait. This was the country's first movement of indigenous public intellectuals who emerged into the civic space following the establishment of the country's newly founded university system. Three seismic events, all of which occurred in 1979, precipitated the group's appearance. This included the siege of Makkah during the annual Hajj pilgrimage, led by the messianic Saudi Juhayman al-Otaybi and his followers.[30] There was also

the Iranian revolution, which created a Shia theocracy in Iran, about which Gulf Sunnis have always been apprehensive, and then the Soviet invasion of Afghanistan. Yet, despite this backdrop, it was Saddam's invasion of Kuwait that ultimately galvanized the movement, providing a watershed moment that became emblematic of the House of Saud's decadence and decay thanks to their military alliance with the United States.[31] Due to the conservative belief that the entire Arabian Peninsula is a holy land, the presence of American military bases on the *jazeera* was held to represent a radical departure from the strictures of conservative Islamic norms in the *Sahwa's* understanding.

Over time, these groups—and others like them—have come to focus on a broad set of issues spanning the political spectrum. Their goal is to develop more distinctly 'Islamic' forms of education, social welfare, judiciary, and banking as well as to recalibrate foreign policy objectives in line with ostensibly Muslim causes like Palestine or Kashmir. Most notably, however, they pursue these aims through political agitation, by publicly criticising the prevailing status quo, pamphleteering, holding rallies and, where relevant, participating in elections.

Violent movements

Armed groups have tended to grow from ongoing civil wars in the region or from other political tensions. The Syrian Muslim Brotherhood, for example, participated in an insurgency against the state after becoming increasingly troubled by the rise of Hafez al-Assad because of his Alawi background—a heterodox and esoteric offshoot of Shia Islam. Hafez's attempts to downplay this association failed throughout the 1970s, in part, because of 'the increasingly radical nature of the Islamic opposition,' which believed that someone from such a minority could not—and should not—rule Syria.[32] Even if it could be argued that the Syrian Brotherhood did not have a full plan for governance should they have succeeded in taking the reins of power, their opposition to Hafez—fuelled in part by confessional concerns—demonstrated a powerful concern with the prevailing political order. Similarly, the Lebanese civil war, in which the Syrian state was intimately involved, also resulted in the growth of movements like Hezbollah and Harakat al-Tawhid al-Islami.[33] None of these groups, however, achieved

any meaningful or sustained forms of governance and have enjoyed differing fortunes.

By contrast, the Algerian civil war (1991–2002) revealed an altogether more serious and sustained attempt by both constitutional and armed actors to seize the levers of power. After the Islamic Salvation Front (*Front Islamique du Salut*; FIS) was prevented from taking power, the country slipped into civil war, with the jihadist element being led by al-Jamaah Islamiyah al-Musallaha, better known as the Groupe Islamique Armé (GIA).[34] Its leader, Cherif Ghousmi, was resolute in establishing an Islamic state and declared himself *amir al-mumineen*.[35] This is an honorific title meaning 'leader of the faithful' (although some interpretations translate *amir* in this context as 'prince' or 'commander'), which is a title that emerged during the reign of Islam's second Caliph, Umar ibn al-Khattab (583–644).[36] It has endured ever since as a marker for those proclaiming Islamic political authority.

The greatest claim to such a title in the 1990s, however, came from the Taliban leader Mullah Muhammad Omar, whose men had consolidated control over much of Afghanistan prior to 9/11. A nascent emirate had taken root there, with the Taliban establishing draconian forms of Islamic law over much of the country. Indeed, shortly after the group triumphantly marched into Kabul, they raided a United Nations compound—a venue whose diplomatic status had hitherto been respected by the country's various warring factions—and seized the former president, Mohammad Najibullah.[37] Along with his brother, Shahpur Ahmadzai, Najibullah was tortured, castrated, and beaten to death. Both were then hung from lampposts just outside the presidential palace.[38]

As Brynjar Lia has shown in an important article exploring jihadi proto-states, there had been earlier attempts to establish similar governance models in Afghanistan in the immediate aftermath of the Soviet Union's defeat, with efforts being led by Jamil al-Rahman's Jamaat al-Dawa ila al-Quran wa-l-Sunna.[39] All of these attempts would later be eclipsed by the group simply calling itself Islamic State, who made a direct claim to the institution of the caliphate and whose leader professed to trace his lineage back to the same tribe of the Prophet Mohammed, the Quraysh. Both the Taliban and Islamic State are the subject of important chapters in this collection.

Pressure for terrorist campaigns grew most acutely in Egypt, where groups such as al-Gamaa al-Islamiyya and the Egyptian Islamic Jihad became increasingly disillusioned with the state, in part due to its repression of Islamic activism. Radical thought grew like a hydra in the aftermath of Sayyid Qutb's execution in 1966, with Islamist intellectuals increasingly rationalising ideas such as jihad and rebellion against the ruling authorities. These frustrations ultimately resulted in the assassination of Anwar Sadat on October 6, 1981, for his supposed 'treachery' in recognising the Israeli state. 'I have killed Pharaoh,' declared the assassin, Khalid Islambouli, an Army Lieutenant who had grown increasingly enraptured with the febrile Islamist atmosphere sweeping Egypt at the time.[40] His words were deliberate and invested with ideological significance. By proclaiming the death of 'Pharaoh,' Islambouli was referencing Moses's struggle against the Pharaoh of Egypt, where the latter had rejected the former's invitations to monotheism and spiritual fortitude.[41]

A significant coterie of Egyptian radicals fled, or were expelled from, Egypt after Sadat's murder and later regrouped in Afghanistan to fight the Soviet Union. The wind was firmly in their sails by the end of the 1980s. Not only had they killed Sadat at the start of the decade, but they were now closing it out by securing an unlikely victory against the USSR. They regrouped in Sudan where the Islamist leader Hasan al-Turabi exerted influence and began plotting the assassination of then-Egyptian president, Hosni Mubarak. The plot failed, but it galvanized the Arab League to press Turabi about the growing community of radicals he was housing, precipitating their return to Afghanistan in 1996. Another group that also emerged from this environment was the Libyan Islamic Fighting Group (al-Jamaa al-Islamiyya al-Muqatila bi-l-Libya) which, much like its Egyptian counterpart, was focused on overthrowing Muammar Gaddafi and replacing him with an Islamic government.[42]

Situating Islamist politics within rebel governance

This book also seeks to situate Islamist political ambitions within the broader spectrum of academic literature exploring the ways in which non-state actors have attempted to govern. In this respect, we explicitly seek to place it alongside established academic literature exploring rebel governance.

Because Islamism can be viewed as stemming from its own epistemic premise of soteriology, it can therefore be regarded as a form of rebellion against the liberal order. Moreover, the groups being studied within this book exist in some form of rebellion against the prevailing status quo, either within the domestic or international context. Rebel governance—the governance (full or partial, or pursuit of) by non-state actors—has thus helped inform our thinking within this volume, not least because rebel governance literature also highlights the many different ways (strategic, operational, and tactical) in which Islamist groups operate as non-state actors and the tactics they employ when seeking power. These include: (i) governance as a strategic choice; (ii) constitutionalism; (iii) legitimacy; and (iv) social welfare activism.

Extending beyond some of these cases of Islamist governance through the approach outlined above, we believe that the field of rebel governance can also help us better understand how non-state actors may seek to pursue and implement Islamist governance. Our study also highlights how the pursuit of governance by non-state actors is not unique to Islamic actors, and instead represents another ideological orientation in challenges to prevailing power structures and political orders and the practical aspects of this engaged by rebel actors. Rebel governance is a highly relevant contemporary field of research to examine when considering some of the cases of Islamist governance around the world. Many of the cases of Islamist governance we explore in this book, including ISIS, Katiba Macina, the Houthis, al-Shabaab, and HTS, have emerged out of states that have weak governance, or states embroiled in conflict and the power vacuums and competing power interests that often accompany these. They have rejected participation in formal political systems and standard routes to power, and instead used violence and militancy to implement their understanding of Islamic governance. While they draw on Islamic principles to justify their actions and shape their political agenda, they are also faced with many of the same constraints, dilemmas, and choices of rebel groups more generally throughout history. Yet the field of rebel governance has only more recently been drawn on to better understand Islamist groups, particularly ISIS, who have instead often been viewed through the lens of terrorism studies. This section will discuss some of the core themes and considerations in rebel governance literature that can help

further inform a deeper analysis of Islamic governance and emphasize how this study of Islamist actors can contribute to rebel governance.

Rebel governance often occurs in states of conflict—civil or other types of war where competing actors vie for power, control, and influence over land and populations. Rebel governance is broadly defined as 'the set of actions insurgents engage in to regulate the social, political, and economic life of non-combatants during war,' which 'opens multiple underexplored avenues in the rebel–civilian relationship.'[43] Furthermore, the study of rebel governance can help us better understand specific aspects of civil wars more broadly, including 'violence, recruitment strategies, and sources of insurgent funding,' as well as social transformations, political mobilizations, polarizations of political identities, and state-building and war-making more generally.[44] Rebels can also engage in practices that mirror the state, such as symbols and symbolic processes,[45] elections,[46] and diplomacy,[47] and they can arrange different types of political institutions.[48] For Kasfir, politics, administration, and wealth become key categories by which to assess rebel governance, as well as how civilians are included or excluded in governance, or indeed how they are organized under rebel governance structures.[49]

The body of literature in the field of rebel governance highlights a long and diverse history of non-state actors seeking to govern, where Islamist actors become an important sub-category within these. These include issues related to legitimacy, the provision of services and goods, to the institutions, structures, and systems implemented by these non-state actors, diplomatic efforts, and responses to rebel governance, including civilian resistance, coercion, and participation.[50] The motivation(s) for groups to engage in governance remains a focal point; groups may use governance as a means to demonstrate they are a better alternative than the existing actors or institutions in a territory, for example. They may use governance to shore up support amongst broader civilian populations; or, to ensure their own members continue to support them, they may engage in governance to draw new members or bolster their legitimacy.

This relationship between governance activity and civilian life is a core aspect of rebel governance, which can be a 'crucial factor in shaping the civilian–insurgent relationship.'[51] As Arjona, Kasfir, and Mampilly highlight, 'Rebels play a central role in defining how civilians live their

lives during wartime not only through violence, but equally through the development of structures and practices of rule.'[52] They further note the recent trend away from ideological explanations alone in rebel governance to those which also consider coercion and material possessions to gain civilian collaboration, but recognize that rebel groups may use ideology to help civilians better identify with their cause.[53] This point is particularly important in relation to this book—while Islamist groups portray themselves primarily through their Islamic identity, these case studies also highlight the diverse ways in which coercion, force, social developments, and material supports are also crucial to their aim of obtaining civilian collaboration.

These actors can seek to not only implement differing aspects of governance, but themselves develop states in line with their ideological visions. Authors such as Revkin have more specifically defined 'state-building terrorist groups,' which are defined as having three specific characteristics. First, 'the presence of a non-military wing analogous to a civilian bureaucracy that provides services, including food, electricity, and healthcare to the governed population.' Second, 'dual-use institutions that simultaneously perform military and civilian functions.' Third, 'a degree of coercive control over civilians that creates observational equivalence between victims and supporters of the group.'[54] Revkin's work aims to help better identify civilians who may be forced to live and work under such govern-ments to ensure they are not penalized or targeted as combatants—an issue of significant concern that arose most recently in the battle against ISIS, whom we analyse in this book. The case of ISIS in particular has drawn much attention in relation to its governance project. Other authors such as Lia have focused more specifically on jihadi proto states which are said to have four specific characteristics: they are highly ideological, internationalist, territorially expansive, and irredentist.[55]

This relationship between rebels and civilians, and indeed civilian support or resistance, is paramount to examinations of rebel governance, and how visions of Islamist governance may be marketed successfully or unsuccessfully to populations targeted as supporters or members. Counterinsurgency doctrine, for example, has long looked at how counterinsurgents can win the 'hearts and minds' of populations that are being competed for by insurgent actors. Arjona considers types of civilian

participation with insurgents and argues that concepts like ‘participation,’ ‘support,’ and ‘collaboration’ have been poorly defined in this field, as have understandings of alternatives to civilians between collaboration and non-collaboration, thus limiting a clear understanding of what these terms mean in practice. For Arjona, the notions of ‘obedience’ and ‘resistance’ must be integrated into understandings of civilian participation, and she creates a typology to better understand these phenomena.[56] Others like Revkin use the case of ISIS to highlight how civil wars create new social contracts between civilians and rebels, in which rebels must ‘*offer* a set of protections and benefits to the population in expectation of receiving *support* defined as obedience and cooperation with the rules imposed by the rebel group,’ and ‘civilians must *accept*, either voluntarily or involuntarily, the rebel offer as evidenced by observable expressions of obedience and cooperation.’[57] Here, both offer and acceptance are required for the exchange to be reciprocal, and this book explores several cases that highlight how many of these groups have tried to establish new social contracts with civilians in regions they control.

The field of rebel governance has focused on several areas that can also be extended to interrogations of Islamist actors. These include the study of ‘multi-level governance, rebel use of self-constraining or hand-tying behaviours, synergy between institutional form and domestic legitimacy, the nuanced role of territorial control in governance, and short- and longer-term impacts of rebel governance on post-conflict outcomes.’[58] This book contributes to some of these themes, including rebel behaviours, territorial control, and impacts of governance on post-conflict outcomes. The following section will examine some key themes in this field to see not only how this scholarship can inform the cases in this book, but also how the cases within this book also add new and valuable insights to the study of rebel governance.

Governance as a strategic imperative

Rebel governance is a phenomenon that has been expressed and enacted to differing extents around the world for decades. Megan Stewart notes that two-thirds of rebel groups between 1945 and 2003 did not offer governance services or limited this to their active and likely supporters. However, a third of these groups did—they provided ‘financial and personnel resources

to provide benefits to virtually all people, even unlikely supporters.'[59] So why, and under what circumstances, do rebel groups seek to provide governance services? Secessionist insurgencies, Stewart argues, are more likely to provide such goods to help build recognition of their statehood, and to 'legitimate their claim of territorial sovereignty to an international and domestic community.'[60] The provision of goods to an inclusive population is thus 'a strategic tool secessionist insurgencies use to attain their ultimate objective of independence.'[61] This inclusive service provision is performative in that it 'mirrors the state's provision of public welfare goods and demonstrates a rebel group's economic viability and capacity to behave as an independent state.'[62]

Islamist actors, in cases where they have carved out and held control over fixed territories, would in many ways also be considered secessionist, particularly as they seek to create new governments and territories as their own 'caliphates'. Stewart also notes that non-secessionist organizations can attempt to take over existing institutions as success here can be equated with military victory alone, and the provision of selective goods can be used as a recruitment tool. Ultimately, she notes that 'an insurgency's long-term goals shape and constrain the strategies (both violent and nonviolent) a rebel group chooses to deploy,' which have important implications for governance, sovereignty, and state-building in civil wars by non-state groups.[63] This book highlights multiple cases where Islamist actors have simultaneously taken over or co-opted existing institutions, maintaining their buildings, staff, and other select elements, and what this means for their movements.

Many authors have attempted to further break down or categorize aspects of rebel governance. For example, Furlan highlights 'dimensions' of governance most frequently seen, including inclusivity of population, attitude against civilians, methods for generation of compliance, attitude against other actors, approach to former structures, practices and personnel, bureaucratization, and style of the executive.[64] Rebel governance also can have explicit impacts on sub-populations such as women, both as members of the group, and as persons who live in controlled territory. It may open or suppress opportunities for minorities or women in public life. Women in local organizations such as women's rights organizations can represent one of many local organizations that rebels would have to account for and

respond to.[65] Such unique approaches to governance can also extend to other categories of populations: religious, ethnic, rival groups, and so forth. Many of the dimensions of governance highlighted above are also reflected in these case studies.

Constitutionalism

The field of rebel governance can also provide useful insights into how and why groups move towards more constitutional approaches as well. A notable number of rebel groups have either fully or partially moved towards some aspect of formal governance. The Militant Group Electoral Participation (MGEP) dataset, for example, examines militants that engage in electoral participation (defined as 'presenting candidates eligible under the established rules to contest legislative elections in the state(s) in which the group operates').[66] The dataset describes three types of participation by militant actors: 'violent participation' when competition against a government occurs when there is not a peace deal in place; 'peaceful participation,' when post-peace agreement electoral competitions occur; and 'won participation' when an 'ex-militant group holds elections after seizing power through military victory or a peace agreement that splits a state.'[67] Of the 752 militant groups identified between 1970 and 2010, 102 (14%) engaged in at least one type of electoral participation,[68] highlighting the significance and importance of understanding the circumstances, implications, and outcomes related to non-state actors and their transition to, and participation in, constitutional processes.

Another large-scale quantitative original dataset assesses why some de facto states disappear, while others survive. Florea argues that key factors positively influence their survival—like military assistance received from outside actors, fragmentation of a rebel movement, and influence of government veto players—and notably when they engage in extensive governance activities. 'State building can substantially affect de facto states' viability,' can further bolster their legitimacy, and could 'also increase the likelihood of transition to statehood.'[69] Furthermore, 'rebel governance and independence are intimately interwoven: those de facto states that build state like structures prove more likely to make the transition to statehood.'[70] It is this pragmatic approach that has seen some actors move towards more constitutional approaches.

Many authors have examined how and why groups engage in constitutional approaches. Whiting, for example, uses the case of Sinn Féin and the IRA to highlight how moderation was achieved as 'the British state distinguished between republicans' strategic behaviour and their political goal with the British state neither expecting nor demanding a change in the goals of republicanism, and republicans showing a willingness to change tactics to bring them closer to their long-term goal of a united Ireland.'[71] Several rebel and insurgent groups have made the transition into formal political systems in countries including Nepal, Colombia, Palestine, Northern Ireland, and many others. For example, the current president of Uganda, Yoweri Museveni, rose to power via the National Resistance Army.[72] Yet subsequently, he saw no less than seven civil wars during his tenure driven by ethnic exclusion from government once in power.[73] The rise and transition of Hamas from terrorist actor to democratically elected government in the Gaza Strip in 2006 provides another surprise example (see Chapter 5).[74] By looking closer at four cases of constitutional approaches taken by Islamist actors in Egypt, Saudi Arabia, Libya, and Tunisia, this book contributes to understanding as to why and how some Islamist actors pursue constitutional approaches to governance.

Attempts to construct legitimacy

The theme of legitimacy is one which comes through strongly in the literature analysing rebel governance. Beyond a concept monopolized by the state, there is a need to better understand non-state actors and how they pursue and attain legitimacy. For Duyvesteyn, legitimacy should be investigated based on 'beliefs and belief systems about what is considered legitimate' and 'combined with practices whereby legitimacy is enacted, copied and emulated by the population the rebels claim to represent.'[75] Legitimacy is also comprised of several characteristics—it is relational and 'relies on an interactive relationship between a social/political actor and his/her supposed constituents.' It is also a dynamic relationship, with evolving claims, progressive acceptance and increased actions demonstrating allegiance to the emergent social order,' and it is also context dependent.[76] Recent work has also explored how rebel governance structures can be integrated into post-war efforts, and what this means for understanding the post-war legitimacy of these groups.[77]

Legitimacy can also be constructed via multiple pathways and through relationships with civilian communities. One of perhaps the most important is related to efforts to implement legal systems, including courts, policing, and other law enforcement functions, laws/legal codes, constitutions, and other dispute mechanisms. Highlighting the importance of legitimacy as a means to attract support, Ledwidge argues that 'when corruption, inefficiency, or incompetence causes an incumbent government to fail to offer a good service, the opportunity exists for insurgents to enter the fray and provide a better one. The provision of such a service will anchor their role as a workable alternative.'[78] Ledwidge, who analyses insurgents and their use of courts and justice to gain legitimacy and support, examines both Islamist and non-Islamist cases of insurgency. Highlighting the many similarities between how insurgents from all different backgrounds (e.g. the IRA, Maoist rebels in Nepal, the Tamil Tigers in Sri Lanka, the Taliban, the Islamic Union Courts in Somalia, and ISIS, amongst others) seek to use law and justice to gain legitimacy and support from local populations, Ledwidge helps highlight how observations related to justice by Islamist actors in this book fit into a broader history and practice of legitimacy through legal routes by non-state actors.

A focus on jurisprudence by Islamist actors more specifically has also been a more recent subject for consideration. Cook, Haid, and Trauthig have examined the scope, implementation, and contours of the provision of justice in Yemen by al-Qaeda affiliates, in Syria by Hayat Tahrir al-Sham, and in Libya by ISIS.[79] They demonstrate how these groups operated in conflict-ridden environments where they saw an opportunity to fill a governance gap and sought to gain legitimacy from the establishment of justice mechanisms. They established courts that focused both on internal and public issues. They had differing organizational structures that brought in external actors to various degrees or incorporated local actors. They co-opted former institutions in some cases and established new ones in others. In short, the authors echo Ledwidge's call for more focus on rebels' use of courts and justice in their pursuit of legitimacy, support, and power. In the case of Islamist actors more generally, Maher has examined the origins and debates around jurisprudence, including the 'broad and varied ecosystem of dense Islamic jurisprudence that has licensed the actions of militant movements around the world.'[80] The theme of legitimacy via the implementation of sharia law is one that has been examined by numerous

academics. Hoffman, for example, states that for Islamic terrorist groups, 'legitimacy can be conferred only through the adoption of Islamic law.'[81] Ginsburg has offered another hypothesis—that a combination of ideological commitments (e.g., Islamic, Marxist, etc.) and environmental conditions makes it more likely that an insurgent group will focus on law.[82]

Other important aspects of legitimacy include economic and financial systems engaged by rebel groups. For example, Revkin considers the the case of ISIS—a resource rich group—who used taxation to incentivize beliefs and behaviours, in contrast to those who only engage in taxation when they lack resources. Taxation was further informed by the mechanisms of ideology and the costs of warfare.[83] ISIS and the pursuit of legitimacy via economic systems is something further explored in Chapter 7.

Analysing shortfalls in Western counterinsurgency doctrine, Gawthorpe notes that 'legitimation is a culturally-bounded process that unfolds according to local norms,' where legitimacy is also about having shared norms or a common identity with the given population. Furthermore, 'local legitimacies are bound up with local traditions, customs, norms, social structures and economies from which they developed more or less organically. Although war may disrupt these factors, they still remain the baseline against which legitimacy is understood locally.'[84] Counterinsurgents trying to co-opt, displace, or supplant this legitimacy are likely to fail, and more research is called for to understand legitimacy when challenging rebel groups. Examining the pursuit of legitimacy by several non-state actors, this book highlights how Islamists have tried to gain legitimacy through everything from monetary economics and court and justice mechanisms to development and aid projects.

Social welfare activism

The provision of social services by rebel groups is also in some cases a core aspect of their governance activities. Insurgencies incentivize recruitment where the provision of social services is selectively provided. Stewart notes that this inclusive provision of services can help lead to legitimization, and this makes secessionist groups three times more likely to provide inclusive services than non-secessionist groups.[85]

A group's provision of social services can also impact conflict negotiations. In a review of 400 rebel groups, Heger and Jung consider the impact of their provision of social services on conflict negotiations, arguing that groups who do engage in social services are less likely to avoid problems with spoilers, as 'service provision bolsters a group's organisational coherence by increasing support, legitimacy, and organisational capacity' as well as organizational coherence.[86] These social services can include 'welfare, food, medical services, education, and/or religious services.'[87] The authors highlight groups such as the LTTE, FARC, and New People's Army in the Philippines and their provision of marriage ceremonies and literacy support to local populations. Looking at the cases of Hezbollah, Hayat Tahrir al-Sham, and Jamaat-e-Islami, this book details the provision of social services by some groups and how this strategy has been used to obtain support and legitimacy from local constituents.

Approach, contribution, and chapter overview

The discussion above has highlighted how Islamist governance is an uneven, ambiguous affair. It is constructed in different ways, in different environments, at different times. As this introductory chapter has shown, this book does not aim to capture the phenomenon in all of its myriad forms. What it does instead is shine a light onto highly targeted case studies, illuminating compelling dimensions of the governance puzzle, along with the challenges and opportunities it has provided in different environments. In a sense, it provides a real-time history of fast-moving, sometimes still unravelling events. Our contributor on the Taliban, for example, was forced to re-write her chapter following the American withdrawal in August 2021. The territorial defeat of Islamic State in Baghouz in 2019 also shows just how recently such governance projects have come to an end, even while the group still provides a broader, ongoing challenge across parts of Syria and Iraq. Indeed, at the time of this book's completion, the group had just launched a sophisticated multi-day attack on prison facilities in northeastern Syria where a number of its compatriots are held.

What we have tried to achieve with this book is to provide a broad examination of Islamic governance. We do not just look at why governance

is important to Islamists, but also how it is connected to and embedded in their ideology and how interpretations of this have manifested practically on the ground. We also examine the constellation of actors, tensions, and events that have influenced and informed those pursuits. We consider how, why, and under what circumstances different aspects of governance have evolved, and what this has meant for external actors who have engaged with each group. By examining sixteen historical and contemporary cases from around the world, this volume provides the most extensive and detailed consolidated examination of Islamist governance to date.

When commissioning our chapters, we have also tried to steer clear of conventional or stereotypical markers of a particular group. With Islamic State, for example, we have not addressed its tactics of ultra-violence, about which much has already been written. Our study on Ennahda explores its attempts to contain Tunisian jihadism, and we consider Hamas's internal struggle for legitimacy within the Palestinian territories rather than its fight with Israel. Similarly, we consider tussles between the state and Islamists in countries such as Saudi Arabia and Indonesia. The chapters offered here, therefore, offer a fresh perspective on the broader political dimensions of the Islamist project.

Before turning to our chapters, we provide an overview of the four thematic headings under which they are arranged. The first theme examines how groups have pursued constitutionalist means to achieve their political goals—by which we mean their commitment to, and participation in, the prevailing constitutional order. We therefore consider how these groups emerged, their political agendas, and how the choice to pursue constitutional means ultimately lent to their strategic aims. We also consider how they aligned with or challenged the domestic political environment and competing actors, and how domestic and international actors responded to them.

The second thematic approach considers the diverse ways in which groups have sought to gain legitimacy through their governance. Drawing on cases such as the Taliban, al-Qaeda, al-Shabaab, Katiba Macina, and ISIS, this focus highlights the different means by which these actors sought to gain legitimacy via governance activities. These include their implementation of law and order (including related aspects such as courts and policing), taxation and economic policies, education, and their approach to women in society. It considers how activities conducted as part

of their governance efforts were used to seek legitimacy amongst their constituents, and whether this was accepted or rejected.

The third theme considers social welfare activism, or the 'softer' aspects of governance implemented as part of broader governance efforts. Drawing on cases such as Hayat Tahrir al-Sham in Syria and Jamaat-e-Islami in Pakistan, this theme considers how these Islamist actors have engaged in social welfare work independently and via local partners. It examines what these social programs looked like, how they were implemented, and to whom they were directed, as well as how this work ultimately propelled their strategic aims. Underpinning these three themes is the question of what these choices and pathways have meant for the ways in which diverse actors (local, national, and international) ultimately understand, interact with, and respond to these groups.

Our final theme considers the tussle between Islamist actors and the state. As Islamist actors do not operate in a vacuum, they find themselves in a constant state of flux with the state that seeks to buffet and pare their fortunes, which creates a dynamic exchange between the two. We consider one example from Indonesia and two from Saudi Arabia, with the latter perhaps traditionally grounding its existing governance model more explicitly in Islam than any other Muslim country today.

Chapter overview

Chapters 1 through 3 consider the theme of constitutional approaches. In Chapter 1, Martyn Frampton looks at the Muslim Brotherhood and their ideas of governance. Starting from the election of Mohammed Morsi in 2012, this chapter analyses the Brotherhood's transition to government, considering what the Morsi administration did; how the Brotherhood approached the question of governance; and what policies it sought to enact. It considers these questions through a historical examination of the group, beginning with an analysis of how the Brotherhood's founder, Hasan al-Banna, conceived of politics and the state and the extent to which the Brotherhood evolved in the decades that followed, with a particular focus on the 1990s and early 2000s—a period identified by many scholars as an era of internal intellectual ferment, ending with a look at the Arab Spring.

In Chapter 2, Aaron Y. Zelin considers the case of al-Nahdah, who led Tunisia's first democratically elected government. Zelin specifically looks at how this Islamist party managed its relationship with the the jihadi group

Ansar al-Shariah in Tunisia (AST) and with foreign fighters joining Islamic State more generally. Exploring the party's initial 'light touch' policy in relation to these actors, al-Nahdah initially believed that such an approach would incorporate AST into the political system, while also positioning the party as a moderate option between what it viewed as an extreme secular left and an extreme Salafi right. But following a 2013 showdown with these jihadist actors, al-Nahdah took a stronger stance against these groups.

In Chapter 3, Inga K. Trauthig and Emadeddin Badi look at the trajectories of two Islamist actors in Libya after the fall of Gaddafi: the Libyan Muslim Brotherhood (LMB) and the Libyan Islamic Fighting Group (LIFG). Considering their historical role in Libya—as a political party and as a previously underground Salafi-jihadist-aligned movement, respectively—the chapter considers the limitations that they faced in trying to advance themselves in the fragile democracy that followed. It demonstrates that while the LMB was able to entrench itself into Libyan political structures, the LIFG morphed into a largely ineffective force.

Chapters 4 to 9 are drawn together through their focus on the theme of legitimization. In Chapter 4, Christopher Anzalone looks at governance efforts by al-Shabaab. Focusing on al-Shabaab's conception of 'law and order' and its interpretation and implementation of sharia and Islamic jurisprudence (*fiqh*), the chapter considers the political economy of its governance strategy and operations and the key role of on-the-ground public communal events in broadcasting its governance, authority, and authenticity and legitimacy claims. The chapter also argues that al-Shabaab are largely shaped by more localized dynamics in their respective areas of operation. Growing out of a specific geographical and socio-political context and conflict environment, al-Shabaab's leadership must contend with local and regional dynamics and identities which results in an inconsistent mix of transnational 'globalist' militant pan-Islamism à la al-Qaeda Central's and a more regionalized, Somali, and East African revolutionary Islamism.

In Chapter 5, Nina Musgrave looks at Hamas and discusses the challenge of obtaining and maintaining legitimacy amongst the residents of Gaza, as well as by regional and international actors. She discusses how legitimacy has been a central feature of Hamas's evolution from its 1987 inception as an offshoot of the Muslim Brotherhood to its transition to political participant and electoral victor in the January 2006 Palestinian

Legislative Council elections. She examines Hamas's development as a political actor, key junctures it faced, including the 2006 elections, the Arab Spring, and Hamas's ongoing troubled relationship with Israel, to highlight the group's ongoing challenges of attaining legitimacy amongst diverse audiences.

In Chapter 6, Ashley Jackson examines the evolution of Taliban governance. This chapter traces how the Taliban's ideology evolved from its origins as a movement in the 1990s, through its post-2001 resurrection as an insurgency, and its transformation into a presumptive government-in-waiting by 2020. Specifically, the chapter provides a background on the Taliban and its approach to governance before looking at three fields in which this shadow government has operated and developed: justice, education, and taxation. The chapter showcases the Taliban's ideological dexterity, considerations between military adaptation and pragmatism in its approach to governance, and maintenance of an image of Islamic purity among its followers and civilians more broadly.

In Chapter 7, Ayse Lokmanoglu and Alexandra Phelan consider the case of ISIS utilizing the concept of eudaemonic legitimation, which involves appeals to economic performance and effectiveness as a legitimation strategy. They investigate how ISIS consolidated stable economic practices by way of illicit activities, while simultaneously justifying traditional monetary economics in an attempt to appeal to the organization's performance and effectiveness as means of legitimation. These economic appeals of legitimation were not solely attempts to mobilize popular support, but also to assert the portrayal of sovereignty to an international audience.

In Chapter 8, Meryl Demuynck and Julie Coleman map out governance efforts by jihadist groups in the conflict-afflicted state of Mali. Highlighting the governance vacuum upon which the groups Katiba Macina and Islamic State in the Greater Sahara (ISGS) capitalized to assert themselves as a legitimate alternative power, this chapter also considers the role that local governance issues have played in the context of increased infighting among violent extremist organizations active in central Mali. It further outlines the key actors related to the conflict and explores how the al-Qaeda-affiliated Katiba Macina and ISGS have approached local governance in this competitive environment, and the extent to which local governance

strategies serve as (de-)legitimising tools for competing Islamist armed groups.

In Chapter 9, Joana Cook considers how Islamist ideologues have influenced the role and status of women in jihadist efforts at governance. First, this chapter outlines key ideologues that have influenced the jihadist movement, particularly how they have approached the roles of women within concepts of governance. This chapter then draws on the case studies of al-Qaeda and ISIS and demonstrates that ISIS' prioritization of the establishment of a caliphate, whereby they governed over a territory the size of the UK, meant that a demographic yet seen in transnational jihadist groups was impacted like never before. Considering women who joined ISIS as members, women who had to live as residents under ISIS-seized territory, and women abducted, trafficked, and enslaved by ISIS, Cook contrasts this to al-Qaeda, who engaged women in much more limited terms due in part to their focus on attacking the far enemy, where governance was never achieved to the same extent.

Chapters 10 to 13 are clustered together based on the theme of social welfare activism by Islamist actors. In Chapter 10, Matthew Levitt considers Hezbollah's social-welfare governance model, outlining its growth over the course of the group's own development and across a broad array of service areas including social, public health, educational, financial, infrastructure, and environmental issues. The chapter also interrogates Hezbollah's independent activities and its efforts in more recent years to co-opt the Lebanese government's bureaucracy for its own ends, which have proven extremely effective. However, Levitt notes that as the corrupt sectarian political system in Lebanon continues to come under increased pressure to change, Hezbollah's role as a key player in this system could undermine its position.

In Chapter 11, Dareen Khalifa examines Hay'at Tahrir al-Sham (HTS) in Syria. The chapter explores how the jihadist group that broke with both ISIS and al-Qaeda and survived the civil war in Syria has become a unique case study for the evolution of jihadist governance. Khalifah demonstrates how the group's leaders have shown a high degree of strategic pragmatism in their governance model and in their dealings with foreign power brokers, while also navigating all the pressures they have been subjected to, ensuring the group's survival and control. The chapter considers how the endurance

and evolution of HTS's governance model has wider implications on transnational Salafi jihadist movements elsewhere.

In Chapter 12, Nadwa al-Dawsari looks at the Houthis in Yemen, particularly examining their relationship with tribes. Exploring the Houthis' history with the Zaydi revivalist movement and Iran, the chapter discusses how this history has informed their approach to tribes in Yemen today. Al-Dawsari details how since taking power in 2014, the Houthis co-opt and manipulate tribal structures or use highly coercive or violent tactics against tribes in order to maintain power in the regions they control. This includes isolating many tribal leaders from their populations, while simultaneously recruiting and developing support among tribal youth and children. The chapter ultimately demonstrates that Islamist groups like the Houthis can efficiently use a combination of social engineering, religious indoctrination, and violence as a means to strengthen their grip on power.

In Chapter 13, Tehmina Aslam looks at Jamaat-e-Islami—one of the main religious parties actively involved in Pakistani national politics today—which was established by Maulana Sayyid Maududi in 1941. Examining their social welfare activism through interviews, Aslam highlights how JI's rationale for social welfare work is driven by four themes: as a religious duty; as a mode of engaging the public; as a method to influence ideology of the public; and as part of a political strategy. This chapter explores how JI adopted social welfare provisions as an organizational effort to secure political space.

In the final section, Chapters 14 to 16 focus on relations between state and Islamist actors, looking at how the two compete with each another. In Chapter 14, Cameron Sumpter and Ade Yuslikha look at preventing and countering violent extremism (P/CVE) in Indonesia and Islamist political actors' opposition to such policies. Noting that politically active Islamists may have very few connections with those willing to carry out acts of terrorism, many remain suspicious of the government's motives regarding the prevention of violent extremism. The chapter analyzes this tension by first outlining the evolution of political Islam in Indonesia before detailing the emergence of terrorist organizations seeking an Islamic state and the resulting expansion of domestic counterterrorism capacities in the country.

In Chapter 15, Abdullah K. al-Saud examines the history of *Al-Sahwa Al-Islamiyyah* (the Islamic Awakening) in Saudi Arabia by looking at four key periods of change that influenced both the Sahwa's focus and priorities

as well as the Kingdom's perception of it. The chapter demonstrates how the political opportunity structure and the continuous search for relevance have been primary concerns driving the Sahwa's actions and decisions to confront or collaborate with the government during various stages.

In our final chapter, Shiraz Maher considers the attempts by Saudi Arabia's Crown Prince, Mohammed bin Salman, to recast the way in which one of the sources of Islamic law—the *hadith*—are understood and implemented. In doing so, Bin Salman presents a significant challenge to the clerical establishment and has begun redefining the very foundational pact on which the modern Saudi state was created. The implications are profound for the broader Islamic world too, because Bin Salman effectively argues that the traditional approach towards the vast majority of Islamic law has been too narrow and should be reconsidered in more progressive, liberal ways.

PART I

CONSTITUTIONAL APPROACHES

1

‘THE QURAN IS OUR CONSTITUTION’

THE MUSLIM BROTHERHOOD AND IDEAS OF GOVERNANCE

Martyn Frampton

The moment Muhammad Morsi was announced as the winner of Egypt’s first genuinely democratic presidential election on 24 June 2012 marked the most significant political victory in the eight-decade-long history of the Muslim Brotherhood (*al-Ikhwan al-Muslimun*). Many speculated as to what Morsi’s triumph would mean—for Egypt, for the Brotherhood, and for the wider penumbra of Islamist movements around the world. Much appeared to hinge upon whether the Brotherhood—for so long part of the underground opposition—could make the successful transition to government. What would a Morsi administration do? How would the Brotherhood approach the question of governance? And what policies would it seek to enact having finally got its hands on the reins of power?

To answer these questions, some looked to the distant past and tried to find answers in the often ambiguous writings of the founders and key ideologues of the Brotherhood. Others parsed the more recent history of the group for evidence of its thinking about the issue of government. There were also those who withheld judgement, waiting to see how Morsi would perform as president of post-revolutionary Egypt. There was something to

be said for each of these perspectives. Now that the Morsi presidency has been and gone, this chapter will use this tripartite chronological framework to reflect on the Muslim Brotherhood's ideas on governance. It therefore begins with an analysis of how the Brotherhood's founder, Hasan al-Banna, conceived of politics and the state. The second section moves on to consider the extent to which the Brotherhood evolved in the decades that followed, with particular focus on the 1990s and early 2000s—a period identified by many scholars as an era of internal intellectual ferment. Finally, the chapter returns to the recent past and considers Morsi's short-lived tenure as president of Egypt following the Arab Spring.

Ideological foundations: Hasan al-Banna and the state

When Hasan al-Banna founded the Society of Muslim Brothers in March 1928 in Ismailia on the banks of the Suez Canal, his immediate focus was at the local level. The aim was to try to build a movement that might challenge the perceived inroads being made by Western culture within Egypt and 'call' Muslims back to their faith, properly understood. In the first instance, education and preaching (*dawa*) were al-Banna's principal means. During the first years of the Brotherhood's existence, great emphasis was placed on building schools—for boys and girls, children and adults—and on developing a cadre of activists who might preach al-Banna's message to the people. As an important book by Beth Baron has shown, this also meant challenging the activities of Christian missionaries who were engaged in social welfare-based proselytization.[1]

Yet, despite al-Banna's grassroots focus, it was clear from the outset that he was inspired by broader concerns. As his carefully curated memoirs reflect, al-Banna was acutely attuned to the political and intellectual tumult of the 1920s.[2] He saw his own 'mission' as being in part a response to the 1924 abolition of the caliphate by Mustafa Kemal Ataturk—a move that stirred much debate in Cairo (where al-Banna was then studying at the Dar al-Ulum teacher training college). Al-Banna was drawn to debates about how the 'Muslim world' should respond to this seismic event and to the thinking of prominent 'Salafist' reformers like Rashid Rida[3] and Muhib al-Din al-Khatib.[4]

Meanwhile, it was clear that al-Banna was deeply distressed by the prevailing socio-political context in Egypt. He lamented the ongoing occupation of his country by the British and connected this to the profound cultural malaise that he perceived around him. For al-Banna, the process of 'mental occupation' was a far greater evil than political or military imperialism.[5] Overcoming the latter, he believed, meant tackling the former—an outlook that made al-Banna's preoccupation with education and cultural reform inherently political.[6]

Moreover, the instrinsically political character of the Brotherhood was made more explicit after 1932, when al-Banna moved back to Cairo from Ismailia (to where he had been posted in 1927 and where the movement was founded). He brought the headquarters of the Brotherhood with him to Egypt's capital. And in the years that followed, he began to develop a national political profile and built relationships with various actors and institutions, including the several-time Prime Minister Ali Maher Pasha; King Faruq and the Palace; and the Wafd party. By the late 1930s, al-Banna was increasingly open about his political ambitions. On one occasion, he declared,

> We summon you to Islam, the teachings of Islam, the laws of Islam and the guidance of Islam, and if this smacks of 'politics' in your eyes, then it is our 'policy!' And if the one summoning you to these principles is a 'politician,' then we are the most respectable of men, God be praised, in 'politics!'[7]

In 1938, a new weekly newspaper, *al-Nadhir* (the Warner), was founded to mark this shift in focus, with al-Banna telling his followers that they were:

> moving from propaganda alone to propaganda accompanied by struggle and action. We will direct our Islamic mission to the leadership of the country: the notables, the government, rulers, elders, legislators and political parties… We will place our program in their hands and demand that they lead this country… on the path of Islam with courage without hesitation.[8]

Thereafter, the Brothers made plain their desire to contest the political sphere. At the Brotherhood's sixth general conference in 1941, the group

committed to contesting parliamentary elections.[9] Ahead of the following year's elections, the Brothers gave notice that they would stand several candidates. In the event, Prime Minister Mustafa al-Nahas, leader of the Wafd party, persuaded al-Banna to stand aside—but only at the price of enacting various social reforms that the Brotherhood leader had demanded. As such, the episode marked an important milestone—for the first time, the Brothers had brought their latent political strength to bear and been able to extract concessions. As foreign observers remarked at the time, this period confirmed the emergence of the Brotherhood as a movement of national importance.[10]

When new elections were held in January 1945, al-Banna and five of his fellow Brothers once more stood as candidates.[11] He declared that it was time for the Brotherhood, having established itself throughout the country, to take its work to parliament.[12] However, they were to be denied again—this time by widespread vote rigging and electoral fraud.[13] Yet despite such setbacks, it seemed clear that al-Banna was committed to becoming a major political player. Later in 1945, he resigned from his teaching job when faced with the prospect of being transferred away from Cairo and committed himself full-time to public life.[14]

At this time, al-Banna routinely disavowed the notion that the Brothers sought power for themselves.[15] But this was accompanied with predictions that free elections would see the Brotherhood win an overwhelming majority in the country.[16] And al-Banna further declared that if, in the future, the people wished for the Brotherhood to enter office, he would be ready to respect their wishes.[17]

The Brotherhood's increasingly overt orientation towards politics raised the question of what it would do if it was indeed able to take power. On occasion, al-Banna described the 'two fundamental goals' of the Muslim Brotherhood as being: 'that the Islamic fatherland be freed from all foreign domination'; and 'that a free Islamic state may arise in this free fatherland, acting according to the precepts of Islam, applying its social regulations.'[18] As to what might constitute such an 'Islamic State,' al-Banna was clear that its defining characteristic was to be the unity of religion and state (*din wa dawla* in al-Banna's famous formulation[19]), manifested through the implementation of the sharia (Islamic law): 'Every paragraph [of the law]

which Islam cannot tolerate and which its prescriptions do not sanction must be expunged … [the] body of law must be derived from the prescriptions of the Islamic Sacred Law.' This was to include enforcement of 'the punishments prescribed by God,' which al-Banna believed would facilitate the reform of 'social conduct' along more moral lines, providing in turn for social justice, national unity, and civic virtue.[20] As he stated in the 1940s pamphlet *The Message of the Teachings*, an 'Islamic government' would ensure that the 'obligations of Islam' were performed and 'the rules and teachings of Islam' enforced. This would allow for the restoration of the Islamic 'nation' (*umma*), with a view to the eventual reconstitution of the 'lost caliphate' (*khilafa*).[21]

By invoking the caliphate in this way, al-Banna echoed the writings of the aforementioned Rashid Rida—unsurprisingly, given what is known about contacts between the two men. Hamid Enayat has argued that Rida conceptualized the caliphate as an 'ideal' form of government, rather than a practical model. Its 'restoration' stood as an intellectual ambition and an important point of reference— but its actualization was postponed into an indeterminate future.[22] Instead, the focus was on building an Islamic State in the here and now. Al-Banna held a similar vision—though he was perhaps even vaguer than Rida as to what this meant in practice.[23]

As described, a premium was placed on instituting the sharia—and the prominent slogan of the Brotherhood declared bluntly, 'the Quran is our constitution.' But all of this raised as many questions as it answered. How was 'the Quran' to be made manifest in constitutional form? Who would decide what constituted the sharia? By what criteria? How would a government be held accountable? And where did popular sovereignty and 'the people' fit into a system predicated on the sharia?

Andrea Mura has suggested that al-Banna, like Rida, did effectively embrace the concepts of *ijtihad* (reinterpretation; or independent reasoning) and *maslaha* (public utility), which had been invoked by the late nineteenth Islamic scholar Muhammad 'Abduh to justify much legal innovation for the benefit of the 'common good'.[24] In this way, Mura argues, al-Banna came to reconcile his vision with that of a 'sort of modern nation-state' and even with democracy.[25] With regards to the latter, al-Banna certainly utilized the concept of *shura* or consultation to suggest that the ruler should respect the will of the *umma* (the nation) and that the *umma* should be the source of a

ruler's authority.[26] Constitutional government was said to be consonant with the teachings of Islam.[27] And al-Banna often talked as well about the importance of 'the people.' But all of this was countered by al-Banna's insistence on the primacy of the sharia above all else and his often narrow framing of this concept.

Furthermore, his writings suggested little acceptance of anything resembling political pluralism. A key target of al-Banna's ire—at least initially—was the party-based political system operating in Egypt at the time. In his mind, the existing parties possessed no definable programmes. Instead, they were based solely on personalities whose only goal was to get into power by any means possible. He believed that what he called *hizbiyya* (political pluralism) had 'corrupted the people,' damaging their morals and dividing the country.[28] The first item on the first full set of political demands that he issued was for the 'elimination of political partisanship' (*al-quda' 'ala al-hizbiyya*) and the direction of the political forces of the nation towards a 'united front' (*wajha wahida*).[29]

In effect, what al-Banna called for was a constitutional parliamentary system without political parties.[30] Only those 'suitably qualified' to assess the validity of laws in sharia terms were to be permitted to run for election. Like Rida, this seemed to imply a decisive role for the *ulama'*—'the people who loose and bind' (*ahl al-Hall wa-al-'aqd*).[31] And he also seemed to suggest that the *demos* in his democracy (a term he used relatively infrequently) was in the first instance defined by religion; for al-Banna, 'the people' were Muslims—an assumption that inevitably raised questions in a country like Egypt, which was home to a substantial Coptic Christian minority.

Ultimately, what al-Banna seemed to imagine was an electoral system in which the 'people' did not have the right to override the laws prescribed by God. As Andrew F. March has observed vis-à-vis the political thought of a latter-day admirer of al-Banna, popular sovereignty was to be 'constrained' by the sharia. Under such a model, there was some scope for the *umma* both to choose its leaders and to have a say in deciding what constituted the sharia, but this was a long way from parliamentary democracy in the liberal format.[32] Rather, there were clear parallels with the idea of 'theo-democracy' or of a 'democratic caliphate' as developed by the South Asian Islamist thinker Abul Ala Maududi.[33]

In all of this, much was left open-ended and opaque—deliberately so. Al-Banna, in one pamphlet, suggested that those pressing him and the Brotherhood for detailed exposition were doing the work of the devil. He preferred to talk in generalities, stating that the 'institutions of Islam have combined both great breadth and precision' and are 'the most perfect and most beneficial institutions known to mankind.'[34] It was on account of this opacity that opponents of the Brotherhood—both then and since—regularly accused the group of opportunism, or of pursuing, in the words of one Egyptian critic, 'politics without [a] programme.'[35] For this reason too, ambiguities would remain for much of the Brotherhood's history about its commitment to democracy, pluralism, and minority rights.

Even so, al-Banna did at certain moments hint at a more tangible policy agenda. In 1936, he produced something akin to a manifesto, *Towards the Light*, which set out, under three headings—political, social and economic—the kinds of changes that he would like to see enacted. On politics, he remained rather vague, but the document did at least underline his desire for a strong, interventionist state, reflecting a particular kind of identity and moral posture. It called, inter alia, for: a strengthening of the armed forces and youth groups; closer ties among Arab and Islamic countries; the 'diffusion of the Islamic spirit throughout all departments of government;' 'the surveillance of the personal conduct of all [government] employees;' and the employment of al-Azhar graduates in military and administrative positions. Economically too, the programme was clear on wanting to institutionalize *zakat* (Islamic alms giving) within the ambit of the state and prohibiting usury. This was accompanied by a desire for nationalization, greater protections against 'the oppression of monopolistic companies,' and a call to both improve the salaries of junior civil servants and reduce 'the number of government posts' (rather paradoxically, given how much the wider vision relied on a more intrusive state). Beyond this, the programme still tended to operate through broad declamations, calling for an 'end to bribery and favouritism,' greater 'concern for the technical and social problems of the worker,' and the 'exploitation of natural resources.'[36]

More significant were prescriptions for social policy—by far the longest section—by which *Towards the Light* hoped to condition 'the people to respect public morality.' Measures to this end were to include: an end to prostitution; the prohibition of 'fornication;' the banning of gambling in all its forms; a campaign against drinking and drugs; a campaign 'against

ostentation in dress and loose behaviour' (principally in relation to women); a review of educational curricula to ensure distinction of boys and girls; the segregation of male and female students; legislation to protect marriage; the 'closure of morally undesirable ballrooms and dance-halls;' more 'rigorous' censorship of cinemas, theatres, songs, and radio; the annexation of elementary village schools to the mosques; the provision of greater religious and Arabic instruction in schools; the encouragement of cultural Egyptianization; and the regulation of business hours for cafes, as well as surveillance of their clientele.[37]

The vision here was for a moral state, enforcing Islamic social and legal norms—or as Richard Mitchell observed, a comprehensive 'Islamic order.'[38] Underpinning this order, as described, was to be the sharia—however defined. Indeed, as already noted, there were few concrete indications of what this would mean in practical terms. Rather, as Enayat has pointed out in relation to Rashid Rida, the sharia was seen as *the* decisive marker of cultural and religious authenticity, in an era when Western laws and institutions were pervasive in countries like Egypt:

> Rida likens the legal system of every society to its language; just as no language should allow the grammatical rules of another language to govern its syntax and modes of expression, if it wants to keep its identity, no nation should adopt the laws of another nation without exercising its independent judgement and power of adaptation for adjusting them to its beliefs, mores and interests, otherwise it will fall prey to mental anarchy, and forfeit its solidarity and independence.[39]

The same might also be said for Hasan al-Banna, who similarly insisted that Muslims should be 'distinguished by our own values and the qualities of our life as a great nation.'[40] It was on this basis that the Brotherhood pursued a 'politics of authenticity.'[41] For them too, the creation of an Islamic State, or an 'Islamic order'—founded upon explicit adherence to the sharia—was as much about the assertion of an authentic identity, imbued with a sense of moral virtue, as it was about the prescription of particular legal reforms.

Power denied and hints of ideological reform

Debates about what the Brotherhood would do when in power remained purely speculative during the first phase of its existence. After 1947, the growing militancy of the group provoked a clash with the authorities, which culminated in the murder of al-Banna in February 1949 and a crackdown on his followers. Allowed to resume its activities in 1951, the Brotherhood gave tacit support to the 1952 coup led by Gamal ‘Abd al-Nasser and the Free Officers. Two years of increasingly uneasy collaboration followed, before Nasser opted to repress the Brotherhood, first rather hesitantly, but then after an assassination attempt on his life in October 1954, with maximum severity.[42] As a result, the group entered into a deep freeze that would last almost two decades. During that time, Sayyid Qutb produced a more radical version of the group’s ideology, reimagining it as a kind of liberation theology, in which physical force jihad led by a righteous vanguard (*tali‘a*) would overthrow tyrannical, ignorant (*jahili*) regimes and establish the true Islamic state and community.[43]

By the early 1970s, however, the mainstream leadership of the Brotherhood had rejected the violence associated with ‘Qutbism’ and sought to reinvigorate what they held to be the ‘original’ approach of Hasan al-Banna.[44] In the period that followed, they re-established the Brotherhood as a powerful, socio-cultural presence within Egyptian society—a body that remained illegal but operated with the tacit acquiescence of the authorities. In the first instance, the revived Brotherhood focused on grassroots organizing, preaching, and social welfare. But particularly from 1984, the group was once more drawn towards formal political activity, as it sought to run candidates for parliament, either in alliance with legal parties such as the Wafd, or as independents.

During the presidencies of both Anwar Sadat (1970–81) and Hosni Mubarak (1981–2011), there was never any danger of the Brotherhood winning power. Egypt in this era experienced successive iterations of ‘controlled democracy,’ in which the regime-controlled National Democratic Party (NDP) was the dominant political actor.[45] Nevertheless, the re-emergence of the Brotherhood and its renewed prominence on the national political stage meant that it again faced questions as to its attitude towards the state and governance. Partly in response, in the mid-1990s, the group issued the first of a new generation of documents that sought to

tackle key issues like human rights, women's rights, and citizenship.[46] It did so at a time when Egypt faced an Islamist insurgency led by al-Gama'a al-Islamiyya, a group that proudly proclaimed its fealty to Sayyid Qutb's more militant vision. In this context, the Brotherhood's leaders attempted once more to distance themselves from violence, condemning attacks on Western tourists and the state alike.[47]

Simultaneously, the Brotherhood sought to burnish its own reformist credentials. The group therefore issued statements that appeared to embrace democracy and political pluralism.[48] The 'legitimacy of any government in a Muslim country' was thus said to rest on 'the people's choice, their consensus and their contentment with that government's performance.' The Brotherhood now emphasized that the Islamic notion of *shura* was entirely consistent 'with the democratic system in essence,' and they endorsed the electoral process.[49]

Both at the time and subsequently, such views were presented as a major evolution in the Brotherhood's approach.[50] Often, this was tied to an alleged shift in power internally between generations, which had seen the rise of a 'new guard' of reformists.[51] But closer inspection of such statements raised questions as to how far the Brotherhood had truly changed its views. Democracy, for instance, still had to function 'within the framework' of the sharia.[52] As Gudrun Krämer pointed out, this appeared to leave little room for 'the enemies of Islam—the hypocrite, the skeptic and the atheist, the libertarian and the subversive.' The rhetorical commitment to equality and popular sovereignty still seemed 'constrained' by the red lines imposed by a fairly traditional reading of what constituted the sharia. And the Brotherhood seemed unwilling to embrace full-blown political pluralism.[53]

By the same token, a 1995 pamphlet produced by the Brotherhood on the 'role of Muslim women in Islamic society' presented a vision of gender relations that might be summarized as 'separate but equal.' Though at pains to emphasize the 'equality' between men and women, the document stressed that they had 'different functions': the former had the 'directing role' in the family as the husband and provider; a woman, by contrast, was urged to preserve her modesty, dignity, and virtue as a wife and a mother.[54] Notably, Brotherhood-aligned scholars did argue in favour of a woman's right to participate in public and political life—but only provided that this

did not impede her duties to the family and the stipulations of the Quran and the sunnah.[55] In line with this, too, in 2000, the Brothers opposed reforms to Egypt's procedural Personal Status Law, which were meant to increase the ability of women to secure divorce.[56]

On another occasion, Sheikh Muhammad al-Ghazali, the former Muslim Brother who remained close to the group, denounced the United Nations Population Conference, which sought to promote ideas about family planning and women's rights, as a conspiracy launched by 'the enemies of Islam… to bring down Islam and destroy Islamic countries economically and morally.'[57] Later, the Brotherhood's MPs also opposed changes to Egypt's Child Law, arguing that the US Agency for International Development (USAID) was behind the effort to undermine 'Islamic civilization' and replace it with a 'western one that issues legislation in conflict with our culture and permits freedom in all things to children and homosexuals and makes women equal with men in all things.'[58]

Doubts about the depth of the Brotherhood's revisionism were only heightened by the endurance of more traditional statements of group policy. In perhaps the most famous example in April 1997, the recently elevated general guide, Mustafa Mashur, declared that Copts, rather than being seen as equal citizens, should pay the *jizya* tax required of them as *dhimmis* (non-Muslim citizens of an Islamic state) under Islamic law. The comments invited a wave of criticism, and whilst the Brotherhood tried to row back Mashur's position, the damage was done.[59]

Moreover, it was striking that those who went furthest in their efforts to 'modernize' the political discourse of the Brotherhood found themselves forced out of the group. In 1996, a group of Brothers led by Abu al-Ala' Madi and Essam Sultan announced the creation of the Wasat (Centre) Party and proclaimed their acceptance of popular sovereignty, political pluralism, equal citizenship, and human rights. They then sought official permission to contest elections. Yet the Wasat party found itself caught between the hammer of Mubarak and the anvil of the Brotherhood leadership. The former refused to grant it the licence to operate; the latter was itself deeply hostile to such an endeavour, which was seen as a serious breach of organizational discipline. Brotherhood members involved in the venture were ordered to withdraw, or face expulsion. Madi and Sultan were

amongst those who instead chose to resign. Thereafter, the Wasat party struggled to survive.[60]

In 2004, the death of General Guide Ma'mun al-Hudaybi and his replacement by Mahdi Akef was thought by many observers to have given more space to Brotherhood 'reformists.'[61] In March of that year, the group produced a policy platform, 'On the General Principles of Reform in Egypt,' which emphasized their respect for freedom of belief and urged political reform, free and fair elections, and an end to the long-standing Emergency Law.[62] The document pledged the Brotherhood's support for a 'republican, parliamentary, constitutional and democratic political order.' Equally, though, it reiterated the importance of adhering to the 'principles of Islam' and implementing the sharia.[63] As a report by the International Crisis Group noted, whilst appearing to embrace democracy, the Brothers had scarcely acknowledged, still less repudiated, 'the illiberal and anti-democratic strand' of [Hasan] Al-Banna's thought.'[64]

The awkward juxtaposition of apparently reformist positions alongside unreconstructed commitments to implementing the sharia were a defining feature of Brotherhood statements in this era. The group's 2005 election manifesto, for instance, again combined calls for a 'democratic' constitutional system with references to the 'Islamic method' and the importance of applying the sharia.[65] It discussed Egypt as being both a 'civil state' and an 'Islamic state'—terms used almost interchangeably, but without significant clarification.[66]

Likewise, in August 2007, the Brotherhood launched a draft political pro-gramme, which was replete with the language of pluralism, human rights, equal citizenship, and democratic reform. In what was becoming an increasingly prominent refrain, it referred to the ambition of creating a 'civil state with an Islamic reference.'[67] Yet as some scholars have pointed out, 'civil' in this sense was perhaps best defined in the negative; it meant a government that was non-theocratic, and non-military-led (signalling that the Brothers wished neither to perpetuate military rule, nor establish an Iranian-style form of government). Ultimately, though, the formulation still provided for the pre-eminence of the sharia as the final boundary for legitimate political activity.[68] Indeed, the 2007 programme stirred much controversy because of proposals for first, the creation of a council of Islamic scholars (who would vet all legislation) and second, a prohibition

on women or Christians from becoming head of state. Such stipulations generated a 'firestorm' of external criticism, which led general guide 'Akef to announce that work on the programme had been suspended.[69]

Across these different documents, then, it seemed clear that the Brotherhood retained its 'foundational commitment' to the implementation of sharia. By the first decade of the 21st century, this had come to be articulated in novel fashion and blended with calls for a 'civil state' and democratic reform, but it still set the parameters for the Brotherhood's political project. Again, this is not to deny that in the Brothers' hands, the very notion of the sharia remained highly elastic; and in some senses, as Katerina Dalacoura has noted, they had effectively internalized a statist—perhaps even a secular—understanding of what was meant by 'the law.'[70] To its adversaries, though, the Brotherhood appeared wedded to a unifying notion of religion and politics, the substance of which had changed little since the movement's founding. Certainly, it continued to emphasize belief and morality as the foci for political activity.[71] And for this reason, doubts remained about its commitment to genuine pluralism (its acceptance of openly secular parties for example), human rights, and equality (particularly of Copts and women).[72] It was against this backdrop that the movement confronted arguably the greatest political challenge of its existence.

The Brotherhood in power: The ideological vacuum?

The popular uprising against Hosni Mubarak in January and February 2011 caught the Brotherhood off-guard. Browbeaten by years of repression, the movement was slow to commit to the anti-regime protests. Once it did, however, it played an important role in helping ensure that Mubarak was forced to stand down; and in the aftermath, the Brotherhood seemed well-placed to inherit the spoils, given its well-established social welfare network.

In the months that followed the revolution, much attention focused on the question of what the Brotherhood would do. Aware of the suspicion with which it was viewed, it initially sought to reassure doubters, promising that it wished only to 'participate not dominate.' In line with this view, the movement's leaders pledged not to seek a majority in parliamentary elections, nor to run a candidate for the presidency.

Increasingly though, the Brotherhood found the allure of power impossible to resist—not least as the rules of the post-Mubarak political game made clear that it faced challenges on several fronts. These came from the military, which sought to solidify its privileges and autonomy; from entrenched socio-political elites (including in the media, judiciary, and security sectors) who were unreconciled to the new power of the Brotherhood; from a 'revolutionary' constituency that hoped for a more secular future; and from newly emergent forms of politicized Salafism, which posed a threat to the Brotherhood's own religious credentials. Against this backdrop, the Brotherhood opted to actively shape its environment through the acquisition of political office—first by winning the 2011–12 parliamentary elections, then by running Muhammad Morsi as its candidate for president in the summer of 2012.[73]

Inevitably, this electoral strategy brought renewed attention to the question of the Brotherhood's political agenda. Prior to the 2011 polls, the Brotherhood's newly established Freedom and Justice Party (FJP) produced a manifesto that appeared to stress more profane concerns—such as the economy and the need for development—rather than the sharia. However, the question of how far the manifesto was a serious programme for government remained moot.[74] Alongside it, the Brotherhood placed much emphasis on a grandiosely-titled 'Renaissance Project' (*mashru' al-nahda*). '*Nahda*' was a term that Brotherhood leaders had used intermittently over the previous decades, but it gained fresh salience as the supposed centrepiece of its post-revolutionary political project. In March 2011, for instance, after his release from prison, Deputy General Guide Khayrat al-Shatir delivered a lecture on the 'Features of the *nahda*' programme, which identified it as an effort 'to empower God's Religion on Earth, to organize our life and the lives of people on the basis of Islam, to establish the *nahda* of the *umma* and its civilization on the basis of Islam.' According to al-Shatir, this meant an effort to 'build a modern Egypt, politically, economically, socially, culturally and indeed in all other areas of life.' And he talked of the need to tackle the country's desperate economic situation (and the falling currency reserves) by providing a 'suitable atmosphere for investment.' As was noted at the time, however, al-Shatir offered almost no detail as to how these broad goals would be achieved.[75]

Indeed, for all the Brotherhood's insistence on its novelty, the Renaissance Project seemed to offer little more than a restatement of classic

Brotherhood themes, with repeated invocations of key ideas from Hasan al-Banna's teachings: about the need for a gradual approach, in which progress was delivered through 'stages'; about the importance of the Prophetic model; and about the need to restore 'Islam,' 'in its all-encompassing conception,' as an organizing principle in all spheres of life (law, economics, education).[76] None of this gave much indication as to how the Brotherhood planned to accomplish its objectives.

In a similar fashion, one subsequent iteration of the Renaissance Project developed by President Morsi's strategic planning office discussed the need for 'major transformations'—across the economic, political, administrative, socio-cultural, and foreign policy spheres—which would be aligned with the values and ideas of 'the historical and civilizational personality of the umma.' As for how this would be done in practice, there were remarkably few details in a document that mixed traditional Brotherhood objectives with rather bland sounding management-speak. There was, for instance, discussion of the need for 'dialogue' with 'specialists' from different sectors and 'stakeholders' across society. Corruption was identified as a major problem, and there were calls for investment. 'Small social projects' or 'SME [Small and Medium-Sized Enterprise] Clusters' were also identified as a priority. And more broadly, the document urged an end to the obsession with 'material goods and services' and called for a change in the relationship between State and society—so as to put the former in the service of the latter. One of the few tangible proposals was for the creation of 'special economic zones'—though there was no elaboration on how these might be constituted. Similar ambiguity surrounded proposals to 'change exchange rates' and 'change the tax system.' Elsewhere, there were references to educational changes, and the need for curricula and institutional reform, but, again, there was little concrete information as to how this would actually be accomplished.[77]

The slides of the accompanying PowerPoint presentation, also produced by Morsi's strategic planning office, were similarly instructive. On the one hand, this included generic statements about 'strategic methodologies', and appeals for partnership between 'government', 'civil society', and the 'private sector' (notably, with the state still imagined as by far the largest actor). Alongside this were elaborate, but largely vague, broad-brushed schemas for how a government might try to utilise the different sectors of society to deliver job growth.

Another Brotherhood strategic paper from the same period, meanwhile, framed the *nahda* as being built on the group's understanding of religion and their commitment to sharia. It further referred to their possession of a 'unique Islamic civilizational model,' said to be distinct from that of the West. The document's discussion of economic policy stated that the key to growth and development lay in the formation of the properly 'Muslim person,' adding that the basis for their vision was the 'proper understanding of Islam,' which offered an alternative to the failed Western model.[78] Once again, there was little by way of concrete policy proposals; indeed, the document even stated 'we do not want a project that immerses itself in details, but rather one that puts a vision and direction, and leaves goals and policies to those with Executive power.' It preferred to deal only in generalities, which imagined the realization of the *nahda* through the 'preparation of the person' (at the individual, family, and societal level) and the 'building of the *umma*' as the basis for revitalization and 'partnership.'

In short, then, the Renaissance Project seemed heavy on rhetoric and much lighter in terms of practical policy. And the relative emptiness of the *nahda*—with its mostly vague talk of concepts like empowerment, values, and civilization—may help to explain why Muhammad Morsi took the course he did when in power.[79] For one of the key questions thrown up by his year in office was why he invested so much political capital in pursuing a new constitution—given that it was this gambit that served to mobilize and unify his opponents, ultimately leading to his downfall.

The pre-revolutionary constitution was that which had been promulgated in 1971 by Sadat and modified thereafter. As of 1980, Article 2 of this document stated, 'Islam is the religion of the state; Arabic is the official language; and the principles of the Islamic Sharia are the main source of legislation.' An amendment that year had replaced the indefinite article 'a' with the definite 'the' in relation to sharia being the main source of legislation—a move demanded by Islamists who hoped it would confirm the paramount authority of the sharia—but the Egyptian judiciary subsequently adopted a rather narrow interpretation of sharia and its applicability.[80]

Prior to 2011, the Brotherhood had signalled no clear intention to change the constitution. The group's leaders had instead talked in general terms of their preference for a parliamentary system. They also indicated

their acceptance both of Article 2 in its post-1980 formulation and of the Supreme Constitutional Court's jurisdiction to adjudicate the implementation of that article.[81] As Rachel Scott has argued, the significance of the latter was that it suggested an endorsement of the secular state's right to adjudicate over the compatibility of legislation with the sharia (albeit with some ambiguities).[82]

Moreover, in the immediate aftermath of Mubarak's overthrow, the Brotherhood seemed uninterested in the constitutional question, accepting the rather minor modifications to the existing document put forward by the military in March 2011 to expedite the process of political transition. In the months that followed, though, the constitution emerged as perhaps *the* defining political issue—and the Brotherhood came to embrace the cause of constitutional change.

In the wake of the 2011–12 elections to the People's Assembly, Brotherhood MPs began working closely with their Salafist counterparts to select 100 members who would make up a new Constituent Assembly (and as Samuel Tadros notes, it was the Salafists who made much of the running on the issue). To the chagrin of secular and leftist forces, the resulting body was 75% Islamist in composition.[83] The non-Islamist members of the Assembly quickly resigned, and in April 2012, the remaining 'rump' was declared unconstitutional and dissolved by the courts. Subsequent negotiations paved the way for a second Constituent Assembly to be established, with greater levels of non-Islamist participation, in June 2012—shortly before the courts dissolved the lower house of the parliament itself (on the grounds that it too was unconstitutional). It was this second Assembly that produced a new constitution—the struggle over which defined Morsi's short time in office and became a matter of critical importance for the Brotherhood.

Article 2 of the new constitution retained the wording of its predecessor—but this was then augmented via novel Articles 4 and 219. Article 4 stated that 'Al-Azhar's Council of Senior Scholars' should 'be consulted in matters relating to Islamic Sharia.' Critics worried about whether 'consult' might drift into 'adjudicate' and thus mark a derogation of secular state power authority in favour of more overtly 'religious' authority. Article 219, meanwhile, explained that with reference to Article 2, 'the principles of Islamic Sharia include general evidence, foundational rules, rules of

jurisprudence, and credible sources accepted in Sunni doctrines and by the larger community.'[84] Many read this as an attempt to enshrine a relatively narrow conception of the sharia, with interpretation fixed on normative Sunni, perhaps even Salafist, lines. Certainly, the focus seemed to be on underlining the centrality of the sharia within the constitution, and the Brotherhood made clear its commitment to this issue. A statement released on 31 October 2012, for example, spoke of the Brotherhood's determination to ensure that sharia was in 'its proper place in the constitution,' so that the parliament could implement the laws of the 'Islamic sharia.'[85]

In adopting this position, the Brotherhood seemed once more to have confirmed that its political vision remained bound by a rather rigid adherence to the sharia. For all the contemporary rhetoric about democracy and human rights, the sharia continued to be the decisive, constraining factor. Furthermore, it was concern as to what this more tightly sharia-bounded order might mean in practice that led non-Islamist figures to again withdraw from the Constituent Assembly—a move that brought significant repercussions.

With the constitutionality of the body once more in question, Morsi issued his famous declaration of 22 November, placing himself and the Assembly beyond judicial review. Though he later rescinded the decree, this retreat was only completed once Morsi was sure he would accomplish his goals: the Constitution was finalized and put to a referendum on 15 and 22 December; it passed with 64% support and 33% turnout and was signed into law on 26 December 2012.[86] The political cost, however, was exorbitant. Morsi's actions had stirred fears of a power grab and galvanized opposition to the Brotherhood, both within and without the state. A National Salvation Front was formed, protests organized (which turned violent), and in the weeks and months that followed, Egypt witnessed a steady process of polarization accompanied by a deterioration in law and order. This culminated in the massive anti-Morsi protests of June 2013 and the resulting coup by the military under General Abd al-Fattah al-Sisi.

Conclusion

So why did Morsi do it? Why did he invest so much in the effort to achieve a new constitution? The contention here would be that the gambit filled the vacuum at the heart of the Brotherhood's political programme. In his first

five months as Egyptian president, Muhammad Morsi issued only one law: a measure to prohibit the pretrial detention of journalists for crimes related to their work.[87] Leaving aside the obstructionism he faced from within the state (which surely existed), this record reflected starkly on the Brotherhood's lack of a concrete policy agenda. As described earlier, the Renaissance Project dealt in many of the same abstractions as earlier reform documents produced by the Brotherhood.

As such, this seemed to corroborate the conclusions of scholars like Olivier Roy and Roel Meijer as to the paucity of the Brotherhood's political thinking.[88] For all the talk of evolution, the Brothers continued to see politics as being about the inculcation of piety and virtue. There was little sense of politics in a secular sense, and they continued to have relatively little to say about what governments should actually do. Rather, they retained a utopian inclination, which imagined that the restoration of Islamic purity and authenticity would deliver successful societies. Hazem Kandil has given this outlook the compelling title 'religious determinism.' As he describes it, the Brothers continued to see a moral-cum-spiritual transformation as the only meaningful 'solution' to Egypt's problems.[89] It was to this end that they hoped to harness the power of the state –to produce a more virtuous community.[90] But what did that actually mean?

It is here that we arrive back at the question of the constitution and the implementation of sharia. For as was the case when Hasan al-Banna founded the movement almost a century ago, it was the sharia that continued to serve as the lodestar for and guarantee of the projected 'Islamic order'—the totemic symbol of the movement's politics of cultural authenticity. Throughout its history, the Brotherhood has remained fixed on the objective of implementing the sharia, not because it has a clear sense of what this would entail in practical terms (though it has tended to suggest a narrow reading of the concept), but because it views this as the only criterion for the creation of a legitimate socio-political order.

It is thus striking that one commentator, Sondos Asem, herself a former member of the Brotherhood's Freedom and Justice Party, has stated that since its foundation, 'the principles of classical [Muslim Brotherhood] political thought' have remained 'unchanged,' with the twin commitment to both a democratic/parliamentary regime *and* the emphasis on sharia-based legislation.[91] The same writer did argue somewhat paradoxically that this

continuity was coupled with ‘enormous developments’ in the Brotherhood’s ‘approach to governance’—but for the reasons outlined above, the latter assertion is hard to substantiate. She is surely on firmer ground in stressing the underlying continuity of the Brotherhood’s approach, specifically regarding how it views matters of the constitution and government.[92]

That ethos of continuity was reinforced throughout the revolutionary period of 2011–13 (in spite of the stresses and strains to which the Brotherhood was subject) due to the fact that the group remained under the close control of a highly conservative faction of leaders, who were focused on preserving the internal *tanzim* (organization) and its intellectual heritage, rather than pursuing reform and change.[93] Elevated, somewhat unexpectedly, into a position of power, the Brotherhood struggled to adapt. Over the previous decade, it had falteringly embraced a new language and tentatively grappled with new ideas—but this process of ideological reform was far from complete by 2011. Against this background, rhetorical novelty masked a political vision that remained under-developed, in which the old shibboleths continued to inspire devotion. For this reason, the Brotherhood was drawn ineluctably into a debate and political fight over the constitution that would prove its undoing. In truth, it could scarcely do otherwise. In the age of Morsi, as in the age of al-Banna, the implementation of the sharia remained the *sine qua non* of the Brotherhood’s political agenda. Just as the Brotherhood continued to proclaim the Quran to be its constitution, so the constitution became its political totem and, ultimately, its nemesis.

2

‘HIDDEN COEXISTENCE’
AL-NAHDAH’S ATTEMPTS TO CONTAIN TUNISIAN JIHADISM

Aaron Y. Zelin

Tunisia’s democratic experiment appears to be backsliding after President Kais Saied suspended parliament on 25 July 2021. But a decade earlier, there was much hope about a new and open era following the overthrow of former Tunisian president Zine el-Abdine Bin ‘Ali in the January 2011 revolution. For many religious Tunisians, it was an opportunity to truly express oneself for the first time since Tunisia’s independence in 1956. In October 2011, Tunisia’s main Islamist group, al-Nahdah, would win a plurality in the initial Constituent Assembly elections, illustrating the marked changes from state-enforced secularism that were implemented since Tunisia gained independence.

The new space provided by the democratic opening in 2011 also gave jihadis an opportunity. Only a few months after the revolution, a new jihadi group, Ansar al-Sharia in Tunisia (AST), established itself in an unprecedentedly overt manner. AST played an indirect, yet important, role in the various discussions and debates that would animate the political process and the subsequent writing of Tunisia’s new constitution. In any other situation, AST would have been considered an illegal organization

due to its ideological outlook (being openly sympathetic towards al-Qaeda) and its medium- to long-term ambitions of establishing an Islamic state. Instead, AST thrived until the Tunisian government led by al-Nahdah designated it as a terrorist organization on 27 August 2013.

The case of al-Nahdah provides an informative example of a ruling Islamist party's response to jihadis in a democratic setting. Both directly and indirectly, the al-Nahdah-led government's policies vis-a-vis Salafis in general, and AST in particular, provided a greater opening in which AST could operate and expand its influence. Al-Nahdah's engagement policy with Salafis and AST, as well as its attempt to position itself closer to conservative Islamists in the debate over the constitution, allowed AST to exploit the political and social situation. Although al-Nahdah and AST could argue within the same Islamic and Islamist discourse in a way a secular Arab government, let alone a liberal Western government, could not, AST and their fellow travellers never had any intention of being co-opted by al-Nahdah's so-called 'light touch' policy. The outcome of al-Nahdah's policies suggests that a softer approach when dealing with jihadis does just as little to curb their growth as indiscriminate crackdowns—such as those during the Bin 'Ali era. Through its experiences in power and growing insecurity in Tunisia due to AST-led or related violence, al-Nahdah would eventually give up on this policy and begin to combat AST. Since then, there has been no sign that al-Nahdah has deviated from this lesson.

Non-violent Islamist movements and jihadi organizations: A background

In the two decades since 9/11, there has been much hand-wringing over the status of ostensibly non-violent Islamist movements and their relations to jihadi organizations. There has been concern amongst some within the political sphere as to whether groups like the Muslim Brotherhood are the equivalent to a gateway organization that leads to more extreme forms of violent activism via groups like al-Qaeda or, more recently, the Islamic State. In 2010, Marc Lynch noted in the context of the Egyptian Muslim Brotherhood that the group did in fact provide a firewall against more extreme movements—although such counterfactuals are always hard to measure.[1] Yet by 2016, following the Egyptian uprising and countercoup, the Ikhwan in Egypt was too decimated and rife with ideological infighting to have much relevance in being a firewall against jihadism.[2] However, this

only tests the case of the Brotherhood within the context of Egypt and when the group was a non-state actor not in power.

Since the Arab uprisings of 2011, there have been several cases that provide avenues to interrogate this firewall question—that is, what it means when Islamists are actually in power and how they interact with jihadi organizations. There are two ways of exploring this question. First, we can examine the different Muslim Brotherhood groups in Egypt, Libya, and Tunisia vis-a-vis the new al-Qaeda front groups called Ansar al-Sharia founded in those countries from 2011–2013. Second, we can examine how these states alongside Turkey, which is governed by the ruling Islamist Justice and Development Party (Adalet ve Kalkınma Partisi, AKP), dealt with the flow of jihadi foreign fighters from their countries or through their countries to join the jihad in Libya or Syria from 2011 to 2016.[3] This provides a rich platform for new research, whether via specific cases studies or comparative studies.

This chapter will explore the case of the Tunisian Islamist group Harakat al-Nahdah and particularly its relationship with AST. The group has gone through various name changes and stages since its initial formation in the mid-1960s. Its original raison d'être was to push back against the secularizing reforms of Tunisia's founding president Habib Bourguiba after French colonial rule. The movement has been led by Rashid Ghannushi since it began organizing and propagating its ideas. Around 1973, al-Jama'ah al-Islamiyyah (al-Nahdah's original name) formally became part of the international Muslim Brotherhood. In the late 1980s, following a coup against Bourguiba, al-Nahdah contested elections where it performed better than Bouguiba's successor president Bin 'Ali had foreseen. As a consequence, many members of al-Nahdah were either imprisoned until around 2006 or fled to Europe and organized there until the 2011 revolution.[4] Following the revolution, al-Nahdah would win a plurality of the vote in an October 2011 Constituent Assembly election and govern with two other parties until the constitution was adopted in January 2014.

As will be shown, in its initial time in power, al-Nahdah had a light touch policy as it related to Ansar al-Sharia in Tunisia (AST) as well as to foreign fighters. Al-Nahdadh believed its approach would serve two purposes. First, it would hinder radicalization and, over time, incorporate AST into the political system. Second, it would also fulfil al-Nahdah's

desire to present itself as the moderate option between what it viewed as an extreme secular left and an extreme Salafi right. However, following a showdown with the local jihadi movement in the spring of 2013, there was a shift and evolution in al-Nahdah's thinking in viewing the jihadi movement as an anathema and not an entity with which to be negotiated or debated. Whether al-Nahdah has since been a firewall against jihadi extremism is difficult to determine, but at the very least, unlike from 2011–2013 when the organization did little to quell the growth of the local jihadi movement, al-Nahdah has firmly been against the jihadi movement in its various manifestations.

The chapter will proceed by examining why al-Nahdah decided on a light touch policy initially with jihadist actors in Tunisia and what that involved. It will then explore how AST and later Tunisians that would become foreign fighters with various groups in Syria were able to take advantage of al-Nahdah's approach. The chapter will then conclude by looking at the consequences of this unfettered policy for two and a half years and how al-Nahdah finally decided to completely turn against the local jihadi movement. This is a unique case study since Tunisia is the only Arab democracy. Therefore, it is possible to examine how, from a policy perspective, an Islamist group may evolve when there is space to do so, unlike in authoritarian settings that lack the same type of push and pull amongst various political actors. As a consequence, while al-Nahdah may have originally believed it could contain the local jihadi movement in a manner that was the complete opposite of how Arab authoritarian regime usually dealt with them (wide-net arrest campaigns, torture, and violating human rights), it realized that its softer approach was just as damaging since it helped enable not only the growth in AST, but also widened the potential pool of individuals that eventually mobilized to fight abroad. Therefore, it is necessary to calibrate a targeted, nimble, and sophisticated strategy against jihadist actors that instead falls in line with the rule of law.

Lessons from al-Nahdah's history

One of the main reasons for al-Nahdah's decision to take a light touch approach with AST was based on al-Nahdah's own experiences in the 1980s and 1990s. As al-Nahdah members suffered torture and repression under Bin ʻAli, its leadership believed that a similar approach to AST

would isolate and marginalize the jihadi group, leading to even greater radicalization.[5] This resulted in what the founder of AST Abu 'Iyad al-Tunisi (Sayf Allah Bin Hasan) described as an 'undeclared truce' between al-Nahdah and AST.[6] The truce allowed AST to focus on its *dawa* activities as long as its members were not involved in violence (nevertheless, despite AST's failure to adhere to these conditions, the Tunisian government did not fully respond to violations until AST's designation).

According to Rashid Ghannushi, the founding leader and current head of al-Nahdah, Bin 'Ali's actions against al-Nahdah in the late 1980s and early 1990s were not sustainable policies, as al-Nahdah would assume a leading role in politics after the revolution. If al-Nahdah chose to replicate the same policies as Bin 'Ali, Ghannushi argued that 'in 10 or 15 years [jihadi-Salafis] will be in power.'[7] According to the academic Monica Marks, 'early on, in 2011 and 2012, as young Salafi jihadis began expressing themselves in the public square, [al-Nahdah's] leaders tended to regard them with a kind of puzzled pity.'[8] This is because al-Nahdah believed these youth were robbed of true religious nourishment due to Tunisia's founding president Habib Bourguiba and Bin 'Ali's eradicative religious policies.

Bourguiba demonstrated this belief in his most famous public defiance of traditional Islamic practice when he drank orange juice on television during Ramadan in 1964—an act linked to his 1960 ban on fasting during Ramadan.[9] He also discouraged the Muslim practice of Hajj to Makkah.[10] Between those two ideas, Bourguiba was undermining two of Islam's five pillars, claiming that these changes were instituted to do 'jihad against underdevelopment.'[11] Moreover, in 1956, Bourguiba abolished the *habus* (known elsewhere as *waqf*), charitable donations and land given to mosques and religious schools to provide financial independence to the '*ulama*. In addition, Bourguiba suspended the use of sharia courts in favour of a more secular, liberal, and progressive court system governed not by *qadis* (religious judges), but rather, national judges.[12] Lastly, Bourguiba nationalized and centralized religious education by firing and then appointing new teachers at Zaytunah University, the oldest Sunni religious school. In 1960, Bourguiba placed Zaytunah under the authority of the School of Theology at the University of Tunis and created the Directorate of Religious Affairs,[13] which effectively co-opted the '*ulama*.

This in turn led curious youth looking for religious meaning to extremist Salafi satellite channels and social media that deprived them of contextual knowledge of 'Tunisian Islam.' Al-Nahdah felt a responsibility to bring these supposedly 'misguided' youth back into mainstream society. Hamadi al-Jabali, the Tunisian Prime Minister at the time, even went so far as to say that '[they] are sons of Tunisia and they are not from Mars.'[14] Therefore, from al-Nahdah's perspective, it was necessary to give these jihadi youth opportunities for advice, dialogue, and reintegration into the political system. Regarding reintegration, al-Nahdah's government legalized a number of Salafi political parties—the largest of which was Jabhat al-Islah—to encourage inclusion and show that representation and power could be achieved through non-violent democratic processes.[15] While this approach made sense in theory, most Salafis in Tunisia were jihadi-Salafis, not purist or political Salafis.[16] Furthermore, according to jihadi-Salafi ideology, democracy is considered a heresy within Islam since humans legislate, which contravenes the sovereignty of God, and therefore jihadi-Salafists would never pursue or support democratic governance.

In the run-up to the October 2011 Constituent Assembly elections, AST posted on its official Facebook page a stern warning to Islamists participating in the election, declaring that they would regret their actions on the 'Day of Resurrection,' an Islamic belief that all of mankind will have to account to God for their lives after death. In another statement, it warned that 'these elections are against the sharia because it does not take into account God, and the sharia is not the source of the laws, therefore participating in these elections is haram.'[17] It also posted the fatwa of Abu al-Mundhir al-Shinqiti, an influential Mauritanian jihadi ideologue, against al-Nahdah, which characterized the party's programme as a violation of *tawhid* (monotheism). The *fatwa* also described Ghannushi and his 'ilk' as heretics and declared that al-Nahdah's positions on jihad, *dhimmis* (non-Muslim citizens of Muslim countries, e.g., Christians and Jews), *kuffar* (infidels), women, and music were all errant and, thus, would 'pollute' Islam.[18]

Al-Nahdah's light touch approach

These warning signs ahead of al-Nahdah's rise to power did not impede the group's light touch approach to AST. Despite AST's calls for an alternative governmental model that posed an existential threat to the very political system al-Nahdah inherited, the group's leaders believed that such individuals could be moderated. As a member of al-Nahdah stated, 'most who speak in extreme tones just want a place in the system; if they get it, they will moderate their views.'[19] According to al-Nahdah's leader Ghannushi, '[AST] reminded him of his youth and that Tunisians will make them change too just like they had changed al-Nahdah.'[20] Publicly, al-Nahdah sought to accommodate AST by promoting the message that they were all the same and wanted the same thing in the end. For example, in late March 2012, Ghannushi announced that he himself was a Salafi, insofar as the term referred to a Muslim who believed that one should return to Islam as founded on the Quran and the sunnah.[21] Furthermore, a few months later, in late July 2012, Ghannushi attempted to appeal to these Salafi youth by stating how they reminded him of his own youthful activism and zeal in the 1970s.[22] Many within AST viewed these actions as patronizing.[23]

Privately, Ghannushi struck an even more conciliatory tone, encouraging youth activism, while attempting to steer them toward what he perceived to be more fruitful ambitions so they would avoid mistakes like those of other Islamists who had tried to take power. For example, Ghannushi explained that moving too quickly would 'spook' opponents in a way similar to what had happened in Tunisia in 1989 and Algeria in 1991, when Islamists had won power through the ballot box.[24] Furthermore, according to one of AST's founding members, after the revolution, he and other members of the group personally attended two meetings at Ghannushi's home in el-Menzah, just north of Tunis.[25] It is possible that a video, which was leaked in October 2012, of Ghannushi advising 'Salafis' was from one of these encounters. This was part of al-Nahdah's broader dialogue with the jihadi movement locally. In one part of the video, the al-Nahdah leader warns, 'the Army is in their [the secularists] hands. We cannot guarantee the police and the army.'[26] Ghannushi's words suggest that while al-Nahdah pushed an Islamist agenda through the political process, AST should attempt to infiltrate the security services. Of course, while these meetings are difficult to completely understand without having

the full context of the entire conversation, they illustrate al-Nahdah's perception of AST as a useful asset. This type of atmosphere provided AST with an opportunity to pursue its agenda. This was because former regime officials viewed al-Nahdah as a greater threat to them since the group thought it was possible the former regime might try to mount a counter-revolution against al-Nahdah and the democratic experiment.

AST was especially useful to al-Nahdah in the various mainstream debates about the nature and drafting of the constitution, especially on issues pertaining to religion. The rocky start to al-Nahdah's transition into government is exemplified by al-Jabali's statement: 'my brothers, you are at a historic moment … in a new cycle of civilisation, God willing … we are in [the] sixth caliphate, God willing.'[27] While this statement was a gaffe since it undermined al-Nahdah's credibility and claims of moderation in the eyes of secularist and nationalist politicians and their followers, it signified al-Nahdah's naïveté about balancing its former status as a social movement with the responsibilities of a government in power. This balancing act would prove difficult.

There are a number of reasons why al-Nahdah allowed groups like AST to operate and flourish. According to the International Crisis Group, there was a 'discrepancy' between the leadership's more pragmatic approach and its more activist base's yearning for greater religiosity after the era of suppression under Bourguiba and Bin 'Ali.[28] Therefore, it was necessary to allow jihadi-Salafis to express themselves to alleviate pressure on the party. It was also a way to convince the secular-left opposition that without al-Nahdah, religious extremism would flourish in Tunisia. Consequently, the secular-left had to meet al-Nahdah halfway on religious issues to cut any potential gains by jihadi-Salafis if religious issues were not decided within a democratic framework. This, Erik Churchill argued, allowed al-Nahdah to move the debate further to the right.[29] For instance, Habib al-Luz, an al-Nahdah preacher from Sfax who took part in the Salafi dialogue, called for a law against blasphemy to avoid so-called provocations by secular-left intellectuals and artists. This, he argued, would deter extremism: 'if you want to see more al-Qaeda supporters in Tunisia, then be flexible on blasphemy.'[30]

Ultimately, al-Nahdah would be defeated on this issue and others between 2012 and 2014—including using sharia as a source of law in the

constitution, defining the status of women as different from men, and creating a blasphemy provision. In part, these failures occurred because al-Nahdah only maintained a plurality—rather than a majority—of the vote in the Constituent Assembly. More importantly, one of the main reasons for its defeat was AST's low-level public violence and shows of strength (more on this below), which pushed the secular-left parties to block the passage of such measures. This was due to fears that al-Nahdah was slowly transforming Tunisia into a conservative Islamic state, similar to the dynamics in Egypt when the Muslim Brotherhood was in power in 2012.

These fears were not entirely unfounded, especially since much of the violence that began after al-Nahdah took power was directed at secular-left intellectuals and artists, who faced physical harm in the streets, riots, destruction of property, and arson at locations where they operated. The International Crisis Group has even noted that 'the violence increased and diversified after the new al-Nahdah-dominated government took office in December 2011.'[31] Two interrelated issues allowed this violence to fester. The first is that many al-Nahdah leaders believed that the violence was perpetrated by former regime members attempting to destabilize the country.[32] This suspicion would deflect attention away from the actual jihadi-Salafi violence. The second issue is that certain al-Nahdah officials thought 'it [was] useful to encourage Salafis who commit minor acts of violence [so as] to deal with institutions legally.'[33] Therefore, AST violence would either be brushed under the rug or viewed as an opportunity to initiate dialogue with Salafis in AST. This line of thinking illustrates the permissive environment in which AST operated, largely as a result of al-Nahdah members' conciliatory attitudes toward the group.

Al-Nahdah's views and actions toward AST spurred many on the secular-left to criticize the double standard on which the judicial system and security services operated. In particular, officials responded more tolerantly to violent acts committed by jihadi-Salafis than to alleged 'provocations' by intellectuals and artists. Marks has argued that al-Nahdah's 'opponents are right to criticise the government for its hypocrisy in pursuing highly publicised show trials against artists and media activists while hesitating to charge and prosecute those responsible for the recent violence.'[34] Part of this also stemmed from al-Nahdah's political posturing for the next election. Arguing that extremism existed on both the secular-left and the Salafi-right,

the party presented itself as a moderate guarantor of Tunisian stability. Al-Nahdah was thus 'the only political force that can both preserve Tunisia's sacred symbols and traditions, while also bringing law and order to the coun-try.'[35] This, in part, could explain why the judiciary and security services under al-Nahdah's control acted more forcefully against secular-left activists than the Salafis associated with AST. The party likely felt it could personally deal with the jihadi-Salafis while the system itself could deal with the secularists.

In many ways, al-Nahdah viewed the secularists as a distraction from the change it hoped to enact. Sa'id Firjani, a high-ranking member of al-Nahdah and one of the individuals involved in the coup attempt in the late 1980s, told the Associated Press that: 'we are dealing with the business of government, we have floods in the north, a sinking economy and these people are talking about the burqa and the hijab. I don't think they are very grown up.'[36] Of course, he also criticized the Salafis to show that extremism needed to be addressed on both sides: 'there is a war of lifestyles, someone from one group wants to impose their lifestyle on the other group. They each believe in freedom of speech only for themselves.'[37] Al-Nahdah felt that its light touch approach and dialogue could handle the so-called 'Salafi problem,' while it associated the secularists with the past regimes of Bourguiba and Bin 'Ali, who had suppressed Islam and helped create the environment that led to the current so-called 'Salafi menace.'

Regarding to the double standard in responses to secular-left activists and jihadi-Salafis, the judiciary and security forces seemed to act in tandem. In the case of the judiciary, young activists on Facebook, for example, were sentenced to seven years in prison for promoting atheism, while a member of AST who tore down the Tunisian flag and replaced it with AST's black flag received a six-month suspended sentence. Both involved the issue of free speech; however, the latter can be construed as vandalism. Nonetheless, there was a major discrepancy in sentencing.[38] A number of other instances show similar double standards.[39] Likewise, secular protests against violence were called off by the government, while AST-planned protests were allowed.[40] Although the police would attack or crack down upon secular protests, they appeared to play a protector role at protests conducted by AST. In a similar vein, al-Nahdah once ordered the closure of an art gallery

in La Marsa, a suburb of Tunis, after jihadi-Salafis rioted against the allegedly blasphemous artwork, while at the same time allowing an illegal sit-in by conservative Islamists to go on for almost three months at the state television station.[41]

Another related issue was the way in which the police and security dealt with jihadi-Salafis caught for violent actions. In many cases, individuals were arrested, but released only a few days later.[42] This tactic was used to satisfy al-Nahdah's broader engagement strategy since they believed that providing a 'second chance' could open the door to dialogue and integration into the political system, though there's little proof this actually ended up working. Furthermore, 'judges fear punishment by the justice minister if they take action against the Salafis; police officers do not completely enjoy the trust of the new Islamist leaders, who for a long time were their victims.'[43] As a result, the police and security services felt they lacked legal protection, which led them to not 'take pointless risks by confronting the Salafis' since the Salafis were viewed as having real power in some districts and villages.[44] Human Rights Watch even wrote a letter to Tunisia's Ministry of Interior and Justice discussing the lack of police action after multiple violent incidents.[45] This in many ways accounts for the noticeable difference between how the security services and judiciary dealt with the secular-left and how it dealt with the jihadi-Salafis associated with AST. Moreover, it shows the greater space granted to AST to continue operating more or less without harassment.

Even al-Nahdah's leaders came under fire. In early August 2012, 'Abd al-Fatah Muru, a co-founder and leading ideologue in al-Nahdah, was attacked at a 'Tolerance in Islam' conference for allegedly insulting the Muslim prophet Muhammad's wife.[46] This provides yet another example of AST's perception of al-Nahdah as equally illegitimate as secular-left political parties, regardless of how the party framed or pursued its Islamic agenda. Furthermore, many within AST did not even view al-Nahdah as truly Islamic.[47] AST aimed to exploit this naïveté over the duration of al-Nahdah's time in power, with incidents such as what occurred at AST's founding conference, the October 2011 Nessma TV riots, the winter 2011-2012 Manouba College Niqab protests, and March 2012 sharia demonstration in Tunis.[48] The latter is a useful example to explore in greater detail.

The Avenue Bourguiba clock tower and sharia show of strength

On 25 March 2012, AST held a protest at the famous *tour de l'horloge* (clock tower) on Avenue Bourguiba in downtown Tunis in support of sharia. Thousands of its members from all over the country attended. According to an AST member, the protest was sparked by the desecration of the infamous al-Fatah Salafi Mosque in Tunis, which had a Jewish star spray-painted on it, and two Qurans (one in a toilet and the other with ripped pages) in Ben Gardane, a border town with Libya.[49] The protest was also an indirect way for AST to exert influence over the constitution drafting process, which involved questions of sharia. As Abu Jihad, one of the participants in the AST demonstrations said, '[secularists] should know that we can mobilise hundreds of thousands on the streets if they refuse the application of sharia.'[50]

In and of itself, a protest calling for sharia or support of Islam would not necessarily spark controversy in a state that protects free speech. This protest, however, left many Tunisians, especially those on the secular-left, questioning the direction the country was going. At the event, a number of individuals, including AST's founder Abu 'Iyadh, gave speeches, but the image many Tunisians will have seared into their minds is that of AST members scaling the clock tower and waving AST's black flag atop it. The clock tower was originally built to commemorate Bin 'Ali's ascent to power. Of course, many Tunisians have little sympathy for their former deposed president. Nevertheless, the image of AST members symbolically occupying the tower with their black flag left many on the secular-left wondering where the country might be heading. AST was attempting to show that a new era had begun and that the past secular state was receding. Many even chanted, 'the people want a new caliphate.'[51]

In addition, AST contravened the event permit given by the Ministry of Interior, which stated that their event was limited to the area around the clock tower due to a concurrent event in celebration of the upcoming World Day of Theatre happening down the road on Avenue Bourguiba. Although the Tunisian Association for Drama Arts (TADA)—those organizing the celebration—received their permit ahead of AST, some AST members, inspired by Abu Iyadh's speech, started an altercation with TADA. Members of AST also damaged the organization's equipment, disrupted outdoor performances, and threw eggs, empty bottles, and sharp objects at

those celebrating the theatre.[52] One member explained that TADA had provoked them simply by showing up and celebrating its cause, suggesting that TADA members were part of the broader attack against Islam.[53]

The spectacle of AST's overly aggressive show of force backfired. While al-Nahdah continued its light touch approach by not subjecting AST to any consequences for the incident with TADA, a few days after the protest, al-Nahdah decided to abandon its push for a provision in the draft constitution about *sharia* being the sole source of legislation in Tunisia.[54] This decision was partly inspired by the severe backlash against the AST rally and the belief among many on the secular-left that al-Nahdah's light touch approach provided cover for AST. Consequently, there was an outpouring of negativity, which al-Nahdah could not ignore, especially considering its lack of a majority in the Constituent Assembly. AST's response also illustrated the differences in approach between al-Nahdah and AST; while the former was willing to negotiate in the hopes of changing policies over the long-term, AST and its youth constituency were interested in making immediate changes.

It was surprising therefore to see al-Nahdah's continued soft approach toward AST since there was no evidence that AST was interested in being co-opted into the democratic system. As Abu 'Iyadh noted only a week prior to the sharia demonstration, 'we are not a puppet in the hands of anyone, and we make our decisions with complete independence without interference of any party.'[55] Furthermore, three months before the clock tower event, Abu 'Iyadh choreographed the movement's uptick in violence: 'don't put obstacles in our way and don't provoke us. Now we are controlling our reactions to provocations, but we might reach a stage in which [AST] couldn't control the youth, when there are transgressions against the sacred and God.'[56] Because of al-Nahdah's weak response to AST's leader, AST was able to not only perform its *dawa* activities, but also carry out increasingly violent acts.[57]

Failing on foreign fighter mobilization

Just as AST had the space to organize openly, potential foreign fighters had little trouble travelling abroad. The al-Nahdah-led government was occasionally concerned, but also apathetic about individuals going to fight

abroad. It is possible that some al-Nahdah members sympathized with the cause of overthrowing the Assad regime both because of their own experiences shaking off the yoke of a dictator and the overall humanitarian concerns associated with the Assad regime's industrial-scale killing. It is also possible that ideological affinity played a role, since some key Syrian opposition members who promoted their cause internationally were associated with the Syrian Muslim Brotherhood. There is also the disturbing response that Ghannushi gave to Amin al-Susi, a retired Tunisian army officer, whose son Muhammad went to Syria, when he was seeking help: 'It is better for your son to die in Syria than here. He will be a martyr and he will mediate for you on Judgment Day. Fighting Bashar al-Assad is better than staying here.'[58]

Beyond this, the Tunisian presidential spokesperson Adnan Mancer argued that 'our youth have good intentions, but it is possible they fell into the hands of manipulators.'[59] Likewise, Interior Minister 'Ali Larayedh said, 'I understand the situation well, and I understand the problems it will cause in the future when the Syrian brothers' ordeal ends.'[60] Tunisian president Munsif Marzuqi echoed these latter concerns: 'Experience has taught us of the consequences when these fighters give money and arms [and] return to their countries.'[61] These statements highlight the ambiguity of officials' support to the Syrian cause, as well as an understanding of potential blowback in the future. That said, some of the government's policies indirectly encouraged some Tunisians to fight abroad. After Tunis expelled the Syrian Ambassador, for example, some Tunisian citizens decided 'the situation in Syria was disastrous' and felt they needed to go to Syria to fight against the Assad regime.[62]

Regarding efforts to stop the flow of foreign fighters, the government intervened when parents asked for assistance locating their sons or daughters, but beyond that, it did not have much of a stated policy.[63] It is possible, however, that Tunisia's intelligence apparatus entrapped individuals interested in fighting abroad, as AST suggested in a warning on its official Facebook page.[64] Either way, one of the earliest government statements on Tunisian foreign fighting came in February 2012, when Interior Minister Larayedh asserted that 'we deplore these young people going on misadventures… we are watching these things closely.'[65] While it is commendable that the government paid attention to those going to fight

abroad, Larayedh himself admitted there were few prevention mechanisms: ‘we cannot legally prevent a citizen from leaving the country if he says he is leaving for work or tourism.’ Similarly, Habib al-Lawz, a prominent al-Nahdah parliamentarian, stated that ‘if young Tunisians feel that they are oppressed, they will just go to the training camps of Libya.’[66] Therefore, the Tunisian government was not proactive in its attempts to deal with the growing foreign fighter outflow to regional war zones. The government hid behind legal measures unsuited to a problem of unprecedented scale and future ramifications. This inaction provided the space for a record-setting number of individuals to go to places like Libya and Syria between 2011 and 2013 when AST was active.

The turning point

The seminal moment at which al-Nahdah’s government began to shift its perception of AST was after an attack on the U.S. Embassy in Tunis on September 14, 2012. Following Friday prayers, hundreds of members of AST began to march from their mosques to the U.S. Embassy. They began chanting: ‘Obama, Obama, Kulnah Osama’ (Obama, Obama, We Are All Osama [bin Laden]).[67] Tunisian police attempting to protect the U.S. Embassy became overrun by the sheer number of individuals rushing toward the embassy with AST’s black flag (which has the seal of the Muslim prophet Muhammad at the top, the Muslim testament of faith in the middle, and the group’s name at the bottom). First, they smashed large rocks on the glass windows at the security check entrance. Then, a number of individuals who brought ladders with them scaled the 10–15-foot wall. Others began spray-painting the white exterior walls with the Muslim testament of faith, Muhammad’s name inside a heart, crossing out the acronym USA, and writing *Amirikan yah khamaj* (You Rotten/Dirty Americans).

After scaling the wall, members of AST began to burn rubber tires and set cars in the complex on fire. According to a U.S. Embassy in Tunis official, ‘they almost killed the motor pool drivers.’[68] From there, these individuals began to rampage upon the main building and recreation centre.[69] Based on pictures released by AST member Abu Turab al-Tunisi, they threw all the plastic lounge chairs that were surrounding the pool into

the pool.[70] Moreover, in a symbolic measure, those involved in this attack took down the American flag from the flagpole and raised AST's black flag in its place.[71] A Tunisian jihadi involved in the attack and interviewed by the French journalist David Thompson explained that 'This is a day of glory for God. The Arab people are revived, and they understand well who their enemy is … Today we are all Usamah. Today we are all al-Qaeda. Soon there will be no more obstacles standing in the way of the restoration of the caliphate.'[72] In many ways, those involved in the attack saw this as a legitimate *ghazwah* (raid) and claimed that they also took *ghanaim* (war loot)—in particular, a cargo box full of Apple laptops.[73]

The Tunisian state and security apparatus were very slow to take action. Even more callous aside from the delayed response was the fact that during the attack, Tunisian state TV was playing cartoons and not reporting on what was going on.[74] Yet afterwards, according to Tunisian journalist Hédi Yahmed, 'the events of the American Embassy ended the phase of 'hidden coexistence' between al-Nahdah and the jihadi-Salafis.'[75] That said, al-Sadiq Shuru, a senior al-Nahdah ideologue, told *Essarih Journal* that AST was innocent and that it had nothing to do with the attack.[76] As Marks notes, while the attack broke the trust between the two movements, it did not lead to a large-scale crackdown just yet: '[although] the Embassy attacks tested al-Nahdah's patience with jihadi Salafism, the party remains unwilling to pursue a comprehensive crackdown on the movement and will likely continue its relatively hands-off policy of integration and conciliation.'[77] This inability to fully crack down upon AST resulted in another three-quarters of a year in which the group operated and proselytized openly to gain more recruits.

That said, despite some empathy toward AST within al-Nahdah, for the first time, Tunisian security officials were given 'written instructions that authorised the police to use lethal force in self-defence if police stations, and therefore their lives, were threatened.'[78] This instruction provided security officials legal protection that they previously felt did not exist. However, not even the assassination by a member of AST of the secular-left leader of the Democratic Patriots' Unified Party, Shukri Bila'id, on 6 February 2013 led to an outright crackdown. According to Tunisian analyst Habib Sayeh, 'fear of stoking divisions within [al-Nahdah's] party, in addition to exposing the ambiguous relationship between the party and the

jihadi faction, has kept al-Jebali and Larayedh [interior minister at the time] from decisive action.'[79]

What truly altered al-Nahdah's calculus was the political backlash from the secular-left in response to the assassination, which threatened al-Nahdah's ability to maintain power. Their very legitimacy was at stake. Al-Jabali decided to resign as prime minister, and in the following months, al-Nahdah put far more pressure on AST, especially when the group began to plan its annual conference for May 2013. Unlike before, al-Nahdah began to enforce the requirement that AST obtain licences for its *dawa* activities and annual conference.[80] These legal actions allowed al-Nahdah to exert control over AST and limit its ability to openly operate. In part, these new policies aimed to send a message about the true holders of power and allow al-Nahdah to exercise the levers of decision-making in the country. By then, AST was becoming a threat to not only the intellectual and artist class on the secular-left, but also to al-Nahdah's religious legitimacy.

Rashid Ghannushi argued that 'the authorities must apply the law without distinction; we support a strong government to implement the law for all.'[81] Larayedh reiterated that 'we will deal with this organisation [AST] with total seriousness, but in accordance with the law. This organisation exists, but is not legal. It must either follow the law, or end its existence.'[82] This war of words only escalated. On May 23, Abu 'Iyadh released a video message mocking al-Nahdah for allowing AST to proselytize openly: 'Our religion taught us to thank those who are worthy of being thanked … and you [al-Nahdah] today are the most worthy of people to be thanked since you committed stupidities that were a reason for the spread of our *dawa*.'[83] A few days later, in Ettadhamen, an AST stronghold in Tunis, Ghannushi spoke to al-Nahdah supporters and ended the war of words: 'Wherever those jihadis, the *kharijites* of this age, are, there is destruction and ruin. I challenge them to give me one state where those reckless people have succeeded. Are Somalia, Iraq, or Afghanistan stable countries?'[84] This speech illustrates al-Nahdah's shift in views and public descriptions of AST. It also highlighted al-Nahdah's abandonment of the so-called 'light touch' approach.

Around the same time AST held its annual conference, then-Prime Minister 'Ali Larayedh described AST as 'an illegal organisation, which defies and provokes state authority.'[85] He went so far as to note AST's links

to ‘terrorism’ for the first time. This was in part because of the growing evidence that al-Qaeda in the Islamic Maghreb’s (AQIM) Tunisian front group, Katibat (Battalion) ‘Uqbah Bin Nafi (KUBN) and AST had begun working together to overtly conduct attacks on the Algerian-Tunisian border in the Jabal Chambi region in late December 2012.[86] Consequently, in light of the AST assassination of yet another secular-left politician, Muhammad Brahimi—founder and leader of the People’s Movement Party—on July 25, 2013, as well as a KUBN attack a few days later that left eight Tunisian soldiers brutally murdered, al-Nahdah decided to finally turn on AST and stop its ability to operate. At the end of August 2013, the al-Nahdah-led government legally designated AST as a terrorist organization, preventing its ability to operate openly and ending the conditions that allowed it to grow.[87] Of course, the two-and-a-half-year time frame during which AST operated more or less without consequence had provided other possible avenues for jihadi-Salafis to continue their movement. Members of AST either quit and returned to their regular lives, went to prison, joined KUBN to fight the Tunisian government, or became foreign fighters in Libya and Syria.

After AST and the foreign fighter mobilization

As a consequence of unsuccessfully dealing with AST and the foreign fighter mobilization, alongside other issues like the continued poorly managed economy, in the next election for the Assembly of the Representatives of the People in the fall of 2014, al-Nahdah lost out as the leading political party to the conservative secular party Nida Tunis. Since then, al-Nahdah’s hardened stance toward jihadism as described above in its showdown with AST has remained resolute. Even after again winning a plurality of the vote in the fall of 2019 election for the Assembly of the Representatives of the People, al-Nahdah’s policies have not reverted to those it implemented to deal with jihadis in 2011–2013.

Therefore, the case of how al-Nahdah handled the jihadi movement while in power is one of learning from past mistakes, which many later admitted. Reflecting on this dynamic in 2019, the al-Nahdah parliamentarian Samir Dilou told Nate Rosenblatt that ‘there was a debate between human rights and security, but we took more time than we should have [to start arresting members of the group].’[88] So even if al-Nahdah may

have enabled AST or the foreign fighter mobilization initially, it realized that it was not only a threat to its own power and space within the newly democratic Tunisian system, but the broader health and stability of Tunisia as a whole. It would be wise for other Islamist movements to heed al-Nahdah's experience and avoid making similar mistakes, especially ones that might come to power in future scenarios of democratic transition.

Considering the question of an Islamist party's response to jihadis in a democratic setting highlights the existence of a gap between what is acceptable as a social movement versus what is expected as a governing entity. It also illustrates that there is potential for negative consequences of policies even if they are believed to be enacted in good faith. It is also worth considering the role that Tunisia's civil society and opposition political parties played in pushing back against al-Nahdah's original light touch policy. If not for that democratic give-and-take, as well as strength of opposition forces, it is possible that a situation like Turkey's, with AKP dominating the political scene, could have neutered any chance that al-Nahdah could learn from its policy failure. Therefore, in many ways, the success of an Islamist party governing in a democratic setting is tied just as much to the vibrancy of those within society not leading government. This balance allows groups like al-Nahdah to negotiate new settings while also illustrating adherence to a more democratic norm rather than attempting to monopolize the space against ideological enemies.

3

ISLAMIST PARTIES IN LIBYA AFTER GADDAFI
OLD NETWORKS IN NEW ENVIRONMENTS

Inga K. Trauthig and Emadeddin Badi

Libya roared to global prominence in 2011 after the country experienced an unexpected—and particularly violent—uprising following four decades of authoritarian rule.[1] Mirroring a broader wave of protests in the Middle East and North Africa, commonly dubbed the 'Arab Spring,' protesters in Libya started calling for the fall of Muammar Gaddafi's regime in February 2011. This rapid upswell of frustration illustrated the degree to which the legitimacy of Gaddafi's *jamāhīrīyah*[2] (state of the masses) had been eroded and the trail of grievances the totalitarian leader had left in his wake.[3] Around a month later, United Nations Security Council Resolution 1973 was introduced in March 2011 and proved instrumental as it allowed for the imposition of a no-fly zone and the protection of civilians and peaceful protesters that many believe Gaddafi's forces would have otherwise massacred. By then, key Western states had already recognized the interim National Transitional Council (NTC)—formed at the time as the political face of the revolution—as Libya's de-facto government. Capitalizing on the watershed moment, Islamists utilized their networks to maximize their influence within the newly established body.

This chapter examines the ways in which these diverse Islamist actors established themselves in post-revolutionary Libya, the kind of rhetoric they promoted, and the methods they adopted to gain domestic legitimacy, and will thus explain why this attempt at Islamist participation in governance mattered to these groups. Drawing on primary sources, relevant academic literature, and qualitative, semi-structured interviews, the chapter will address the backgrounds and rationale behind the inception of political parties linked with the Libyan Muslim Brotherhood (LMB) and the Libyan Islamic Fighting Group (LIFG)—namely the Justice and Construction Party (JCP), the *Umma al-Wasat* [the Central Nation], and the *al-Watan* [the Homeland] parties. The chapter demonstrates that Islamist parties in Libya were uniquely and poorly placed to contend with the realities of Gaddafi's fall for several reasons: first, due to their previous inability to connect with the local population; second, the lack of inter-connected institutional and organizational structures in the country; and third, preceding the 2011 revolution, Libyan Islamists had embarked on a reconciliation programme with the Gaddafi regime, which meant they had become close to the very regime rebel forces were fighting, serving to delegitimize them in the eyes of many Libyans. Together, these three reasons put Libyan Islamists in distinctly different starting positions than their regional Islamist counterparts as they needed to play catch up from the start—practically on the ground, as well as perceptually in the eyes of many Libyan people, who considered Islamists to be compromised by the regime.

Despite these three limitations, this chapter will show that the political wing of the LMB managed to entrench itself in the newly established Libyan political structures while still lacking a sophisticated social base, mainly due to its professionalism in campaigning and electoral politics. With this, the LMB was able to pursue its ideological goals of turning Libya into a political system guided by sharia. However, its uncompromising stance and alliance with more radical factions over the course of 2013–14 alienated large parts of the Libyan population and also led Islamist forces to be accredited with triggering the Libyan civil war in 2014. The LIFG, on the other hand, morphed into a politically ineffective force in post-Gaddafi Libya due to its inability to collectively strategize against the new revolutionary backdrop and the opportunism of its own members. Despite this, however, Islamists still managed to leave a decisive imprint on Libya's political development after Gaddafi.

Overall, the Libyan uprisings had been countered by brutal repression from Gaddafi in line with his notorious rhetoric proclamations that his regime 'will fight in every valley, in every street, in every oasis, and every town. We won't surrender; we are not women' as late as September 2011.[4] While Gaddafi's son and heir apparent Saif al-Islam had been frequenting Western circles, particularly in London, regularly before 2011, any hopes of him playing a conciliatory role with regard to the protests were frequently quashed.[5] Saif quickly aligned with his father's position and declared on 21 February that the regime 'will fight to the last minute, until the last bullet.'[6] Gaddafi's killing by the revolutionaries in October 2011 portrayed the violent character of the revolution, a development many Libyans came to view as an inflection point which epitomized the downside of the Libyan revolution. This gruesome act of retribution opened the floodgates for opposing social, political, and ideological forces that had taken part in the revolution to wrestle for control over state resources.[7]

These actors had essentially inherited different aspects of Gaddafi's system, most prominent amongst them being the operational backdrop of his *jamāhīrīyah*. This convoluted machinery, moulded over decades, had been devised as a medium for social control through which Gaddafi would conveniently distribute (mostly oil) wealth through clientelist jobs and patronage networks. While the wider society benefited from portions of this wealth through jobs in the public sector, loyalty to Gaddafi amongst the political elite was generally commensurate with their access to oil wealth. With Gaddafi gone, institutional attempts at reforming his *jamāhīrīyah* were not undertaken by Libya's new authorities, and the survival of the defunct authoritarian leader's incentive structures shifted the patterns of Libya's conflict.[8] While initially coalescing for the shared goal of ousting him, the revolutionary alliance of political and military actors—including the Islamists—now fought over the levers of his state.

Nevertheless, the political arena of post-revolutionary Libya opened up, and different ideological currents and political backgrounds of those that had coalesced against Gaddafi became part of the central forces in this emerging post-revolutionary political landscape in Libya.[9] These actors included technocrats, former regime officials who had defected, and

Islamists—such as members of the Muslim Brotherhood and some of the former leaders of the LIFG, a Libyan Islamist militant armed group established in the mid-nineties to topple the Gaddafi regime. Having briefly united to overthrow Gaddafi, these actors did not possess a unified vision for the state they sought after his demise. Ironically, they were inadvertently unified in their inability to envision a governance blueprint that was not modelled on the late autocrat's *jamāhīrīyah*. Retrospectively, it can be argued that many figures amongst this 'new post-2011 political elite' also inherited Gaddafi's political culture—an exclusionist and partisan ethos that, much like Gaddafi's institutions, survived him.[10] Moreover, almost none of these actors had any experience of pluralistic politics, and unlike in neighbouring Tunisia, no politician distinguished themselves with a blueprint for governance that advocated for consensus politics.[11] Instead, the various currents representing Libya's new political elite exhibited a compulsion to disenfranchise political opponents, often approaching political compromises in zero-sum terms.

In a fragile and nascent period of Libya's democratic transition, these problematic dynamics corrupted Libyan politics, further polarizing the social and political landscape of a country reeling from decades of totalitarianism.[12] This was exacerbated by regional players who found willing proxies to advance their contending agendas in Libya's elite, with the role of Islamism underpinning domestic and regional struggles. Indeed, analysts and journalists covering the Arab Spring expected that now Middle Eastern regimes would transition into popular Islamic governance, given the long histories of Islamist movements in the region and their embeddedness in society. This sentiment was expressed by Michael J. Totten, who assessed in 2012 that 'Islamists are still more popular than any other party,' for instance.[13] In this context, the LMB was widely regarded as a movement that would act as a vehicle that would play a crucial role in this shift. This chapter, however, will outline how the LMB set itself apart from its Tunisian and Egyptian counterparts and as a result did not carry the potential to move into power in Libya. Whereas the Egyptian Muslim Brotherhood and al-Nahda in Tunisia had managed to build mass support in universities and/or professional syndicates, the LMB never had the opportunity to connect with the masses in the same way, nor did they manage to build effective organizational structures inside Libya.[14]

In addition, Libya's Islamist movements experienced the revolution as an event to which they had to react rather than one they led. Aside from the LMB, leaders and members of the LIFG—both of which had engaged in a reconciliation effort with the regime shortly before the revolution—also unexpectedly had to define what they stood for in post-revolutionary Libya. Indeed, while the two factions had consistently styled themselves as opponents to Gaddafi's regime, both the LMB and the LIFG can be argued to have reactively joined revolutionaries' efforts to oust him. As such, members of both these Islamist organizations emerged from the revolution collectively burdened by Gaddafi's decades-long efforts to demonize and ostracize them within Libyan society.[15] But more importantly, they were also individually forced to reflect on the role they could now play in a Libya without Gaddafi—one where they were no longer internally united by a common goal.

Aside from Libya's widely known Muslim Brotherhood-affiliated Justice and Construction Party (JCP), other well-known Islamists also opted to participate in Libya's 2012 elections. These included leaders of the LIFG who founded their own political parties. The rationales behind the inception of these Islamist parties, coupled with the different patterns of competition and cooperation that emerged between these Islamist actors in the years that followed, speaks to the extent to which Libya's Islamist milieu experienced fragmentation and saw a repurposing of old networks in new forms. This chapter will more closely examine several of these parties—specifically the LMB followed by the LIFG.

Justice and Construction Party: The Muslim Brotherhood forms a party in Libya

The LMB have a long and tumultuous history in Libya—one that is linked to the global movement of the Muslim Brotherhood founded in 1928 in Egypt. In fact, it has been called the 'country's oldest Islamist group.'[16] Although initially welcomed by King Idris in the 1940s, matters quickly changed for the LMB after the military coup of 1969 that brought Colonel Muammar al-Gaddafi to power.[17] Severe repression and meagre reprieves under Gaddafi's *jamāhīrīyah* meant the LMB could only carry out a string of incoherent, choppily executed activities in the country. In the early 2000s, however, the LMB participated in the 'Revisions Process' launched

by Gaddafi's eldest son and potential heir Saif al-Islam, which was officially aimed at de-radicalizing Libya's Islamist prisoners and included the release of Islamists on condition that they did not engage in political activity in Libya.[18] By participating in the programme, the LMB left behind its status as a persecuted group but remained a shadow of what its founders intended it to be—namely a deeply entrenched and influential Islamist group. Before 2011, the LMB consisted of a negligible congregation of people, denoted by its exiled membership. It offered only futile *dawa* (proselytizing) work, which meant that by 2011, the LMB was widely unknown among Libyans.[19] For some Libyans, the LMB was considered a murky force with negative connotations thanks to Gaddafi's decades-long propaganda against it.

Similar to other protests erupting in the region, the uprisings in Libya in 2011 were neither initiated nor controlled by Islamist forces, let alone the Muslim Brotherhood.[20] The decision about how to react to what appeared to be an indomitable revolutionary stimulus in eastern Libya put the LMB in a conundrum. Even when it started to actively support the revolution, the LMB still appeared open to the possibility of making a deal with the very regime it was fighting.[21] These moves did not go unnoticed by the Libyan people, with the LMB's supposed cordiality towards the Gaddafi regime baffling them.[22] However, after internal discussions amongst the largely exiled leadership in Switzerland, the LMB decided to take the side of the revolutionary forces and turn its back on the regime.[23] Influential players in the Islamist scene such as Yusuf al-Qaradawi and Ali al-Sallabi ratified the righteousness of the protests, aiding the LMB from an ideological perspective. Qaradawi, who was head of the International Union for Muslim Scholars (making him the Brotherhood's Qatar-based overall spiritual leader), issued a *fatwa* live on television on 21 February urging the Libyan army to kill Gaddafi.[24] Sheikh Ali Muhammad al-Sallabi was a prominent, if unofficial, intellectual and spiritual leader, largely through his international connections, which included a close relationship to Yusuf al-Qaradawi. Al-Sallabi emerged as an informal leader of the various Islamist currents that came to the fore as Gaddafi's regime began to crumble. Before 2011, al-Sallabi had worked closely with Saif al-Islam in negotiating the repentance and renunciation of violence by LIFG members and was a central figure for the Islamist scene in Libya overall, including the LMB.[25]

With this, the LMB was at a turning point as the movement had decided to venture back into Libya after decades of repression had made it a movement largely defined by exiled members and thus largely detached from other Libyans. This disconnect played out detrimentally for the LMB as is partially exemplified by the hasty founding of its political party, the Justice and Construction Party.

The 2012 elections: Libya's democratic experiment and the JCP

Already in February 2011 (only a few days after the first protests had erupted in Benghazi), the amalgamation of Libyan forces, which mobilized mostly along local lines, were faced with the challenge of founding some kind of political institution that could exert political control in already liberated areas. Equally importantly, they also needed to manage relations with the international community. As a result, the rebels declared the emergence of the National Transitional Council (NTC) in early March 2011. The NTC brought already influential people under its roof, among them defectors from the Gaddafi regime, who brought with them aristocratic family backgrounds, and other prominent family members, such as three sons of Mohamed al-Sallabi, who had been among the founding members of the LMB's branch in Benghazi.[26] The composition of the NTC was heavily criticized by the LMB itself and even more harshly by Ali al-Sallabi (see footnote 21), who condemned the NTC as illegitimate as it was seen as too eastern-dominated and not representative of the conservative nature of Libya.[27] Due to a combination of external circumstances (such as the NTC's difficulty in being accepted internationally as the voice of all Libyans) and domestic reservations with the body, the LMB succeeded in relatively little time in elbowing its way into the NTC.[28] Overall, the LMB managed to establish itself in the emerging political structures of Libya (alongside the NTC, it was also present in many local councils), despite its limited engagement in the armed conflict and its lack of penetration in the country. This result was partly a reflection of the hollowness Gaddafi had nurtured for decades, such as the abolition of political organization, and partly a result of belonging to an international movement.

Just as the NTC needed to be created from scratch, the same was true for the creation of other political parties in Libya.[29] In the early calculations of how to set up a political Islamist wing for the LMB, the influential

Islamist Al-Amin Belhajj, head of the founding committee for the newly announced JCP, acknowledged that an Islamist party might not fare well as 'while the majority of the Libyan people are Muslims, they are not Islamists.'[30] Libyan society exhibits distinctive characteristics that set it apart from its neighbours Egypt and Tunisia, in which there exists a gulf between conservatism and liberalism. In Libya, Islam plays a guiding role in public life, even if that does not necessarily directly translate into support for political Islam or suggest a clear vision of how Islam is supposed to inform politics.[31] Following the considerations by some leading Islamists, a national umbrella movement including Islamists from many strands was created called 'The National Gathering' (*al-Tajammu' al-Watani*), which was supposed to evolve into a political party in due course. However, mainly due to the LMB members, the movement crumbled within months of the fall of Tripoli in autumn 2011.[32] Alongside internal fissures and scepticism about the appeal of the National Gathering to non-Islamist parts of the population, the LMB's preoccupation with its international image, which it did not want to be soured by alliances with (ex-)jihadists, was likely among the factors determining the LMB's exit.[33]

Instead, the LMB launched the Justice and Construction Party (*Hizb al-Adala wa'l-Tanmiyya)* in March 2012, which it based on the Egyptian model of not being an exclusively 'Muslim Brotherhood Party' but open to others with 'a similar mindset.'[34] Its structure and decision-making process would be separate from the LMB. This decision to formally distance the party from the LMB demonstrates its self-awareness of its poor reception in Libya. With this setup, the LMB aimed to display a more diverse, inclusive image reinforced by the fact that Brotherhood cadres made up only a fraction of its 10,000 or so registered members.[35] Simultaneously, however, the LMB could not effectively counter the widespread assumption that the JCP was the de facto political wing of the LMB; this image was reinforced by the fact that most founders were brothers and its newly elected leader, Mohamed Sowane, had previously led the LMB's Shura Council.[36] The speed of the party's founding demonstrates the LMB's determination to participate in Libya's political future and its willingness to contest the country's first post-revolutionary democratic elections, but also conceals the LMB's lack of comprehension that Libya was not ready for political parties, let alone parties based on Islamist ideology.[37] Anything loosely connected

to politics was still associated with trouble, as Gaddafi had preached to the population for decades.[38] Nonetheless, in this difficult political context, the country was moving towards elections.

The first elections in the country since 1965 were held in July 2012 to great enthusiasm and with a large voter turnout.[39] Libyans elected a General National Council (GNC): a 200-person body that would name an executive head of state and pave the way for parliamentary elections in 2013.[40] The 2012 elections were preceded by structural debates, such as the composition of the electoral law, but also less legislative and more practical issues, such as how the election would be conducted, and who could participate.[41]

Two issues dominated the LMB's election campaign. First, they aimed to effectively overturn the widespread negative impression of the LMB due to Gaddafi's relentless condemnation of the movement, since the LMB had never been able to counterbalance this impression with the provision of social services as the Egyptian Muslim Brotherhood had over decades. Second, the LMB saw the need to create a party platform and programme that would differentiate itself from competing entities and hence simultaneously attract voters to a party rather than individual candidates chosen because of local prominence. The first issue proved to be difficult, while the second turned out to be even trickier in Libya with its deeply ingrained localism. For an Islamist party, the centrality of sharia was central to its political vision and hence communicated at its launch and emphasized by its leader Al-Kabti.[42] In Libya, however, this did not set the LMB apart, not even from the liberal National Forces Alliance (NFA), which also promoted a vision of Libyan democracy with an Islamic frame of reference. This was surprising for some JCP politicians and hurt their election campaign overall. Looking at the JCP's election programme, which was published in both Arabic and English, there are expected phrases, such as the goal to work towards a state that 'guarantees the rule of democracy and peaceful transfer of power.'[43] There are few aspects that would raise eyebrows in the West, apart from the point which highlights that the state should be based on a constitution drafted in accordance with the 'beliefs of the Libyan people and community values […] which consider Islamic law the main source of legislation.'[44] However, even if this assertion might have caused discomfort among some Western readers because of its potential deviation from Western understandings of human rights, it was hardly

controversial in the Libyan context, in which even the NFA committed to similar principles. Again, the rift between conservative Islamist parties and liberal competitors in Egypt or Tunisia could be detected in the widespread debate about the role of sharia and provided a chance for the MB parties to position themselves prominently; however, this discussion 'barely caused a ripple' in conservative Libya.[45]

The election results catapulted the NFA to the top of the list with regard to party results, and the LMB did not live up to its own confident predictions that 'the Islamist current would take at least 60 per cent of the seats,' instead coming second in the party list results.[46] While it had still performed significantly better than other Islamist or Salafi parties, it clearly did not come close to the number of seats it had hoped for.[47] Keeping in mind that its true representation in the GNC was bigger than that captured in the party list seats due to some Brothers running (and winning) as individual candidates, these election results still forced the LMB to confront the fact that it ultimately lacked widespread popular support in Libya.[48]

The political wing of the LMB had managed to entrench itself in the newly established Libyan political structures while still lacking a sophisticated social base. Despite managing to win a respectable number of seats in the GNC, the LMB, bluntly, did not achieve what it had hoped for during the election campaign. This experience demonstrated that the LMB in particular, even more than other Islamists in Libya (as the next section will show), needed to play a catch-up game from the start. This was because of their previous inability to connect with the local population and the related dearth of institutional and organizational structures in the country, but also the baggage the LMB still carried in 2011—following Gaddafi's decade-long condemnation of the group. In addition, Libya's Islamists had embarked on a reconciliation programme with the Gaddafi regime, which meant that they had cosied up to the very regime the rebel forces were fighting in 2011. This delegitimized the Islamists in the eyes of many Libyans, as they were considered compromised by the regime. Still, the LMB had some degree of success due to its professionalism in campaigning, electoral politics, and alliance-building. These strategies could effectively, albeit partially, counterbalance the negative impressions many Libyans still carried of the LMB in 2011–12. The next section will

outline how the LIFG sought to navigate their participation in post-revolutionary Libya.

The Nation Party and Central Nation Party: Further Islamist fragmentation

Libya's second-largest Islamist opposition group during the Gaddafi era was the LIFG,[49] which traces its origins back to the late 1980s in the city of Peshawar, Pakistan. There, a corps of anti-Gaddafi Libyan fighters, battle-hardened from their jihad against the Soviets in neighbouring Afghanistan, shifted their organizational focus to unseating Gaddafi. In 1993, the leadership of the fledgling LIFG moved to Sudan, where Omar al-Bashir's Islamist government had welcomed a wide array of foreign opposition groups and figures. Many of these were veterans of the war in Afghanistan, and some figures—including Libyans—went on to become senior figures of al-Qaeda. These circles were connected; however, the LIFG operated independently in that it focused more explicitly on what it deemed a nationalist Salafi-jihadi agenda. Explicitly more militant than the LMB,[50] the LIFG branded itself as a Libyan opposition faction with an ideology inspired by Salafi-jihadism[51] that espoused violence against Gaddafi in the name of Islam. The group remained underground to amass weapons to overthrow the regime until 1995. Until then, the LIFG focused on ideological recruitment, an effort cantered around justifying armed opposition to Gaddafi using Islamic precepts and the broader goal of establishing a sharia-based Islamic state in Libya. It wasn't until 1995 that the LIFG became known to the regime's intelligence apparatus, after it clashed with the latter in the eastern city of Benghazi to save an LIFG member that had been captured by regime security. The group subsequently made its existence public later that year, a reactive but strategic decision that made the LIFG known to the Libyan public.

The group's Islamic ethos attracted disgruntled youth along with those that opposed Gaddafi's regime on religious grounds, particularly in eastern Libya. Though this branding allowed the LIFG to swiftly build a diffused 'octopus-like' network in Libya to confront the regime militarily,[52] its militancy and Islamic aspirations nonetheless contributed to the group's failure to garner a significant degree of popular legitimacy across all segments of Libyan society.[53] In addition to being outnumbered by the

regime's security services, the LIFG's failure to obtain wider support from Libyan society was partly attributable to the magnitude of social control that Gaddafi had been able to assert over citizens at large.[54] After a clandestine operation in eastern Libya forced the group to announce its existence in 1995, the regime's security apparatus devoted its efforts to dismantling it. In the following year, a state-led crackdown inflicted catastrophic losses upon it. Though both Libyans and international observers learned of it years later, the regime also killed over a thousand prisoners in the Abu Salim prison the same year—among them members of the LMB and the LIFG—in response to their protesting of abysmal detention conditions. Eyewitnesses report that regime forces rounded up hundreds of inmates in the prison's military courtyards and fired at them with Kalashnikovs from rooftops before finishing off survivors with pistols.[55] Though their bodies were never found, the unforgotten massacre planted the seeds of Libya's uprising 15 years later, with grievances over the cold-blooded murder galvanizing widespread protests against the regime.[56]

For the LIFG, the dawn of the 21st century was a decade of resignation. Much like the LMB pre-2011, the group had become a shadow of its former self. Several of its members—including its influential Shura Council members Miftah al-Dawadi and Abdulwahab al-Qaid—had been imprisoned. The global shift in counterterrorism policies in the aftermath of the 9/11 attacks also led to a global crackdown against al-Qaeda-linked groups as part of the US-led 'War on Terror.'[57] The principal ideologue of the LIFG, Sami al-Saadi, as well as the group's emir, Abdelhakim Belhaj, and deputy emir, Khaled al-Sharif, were all renditioned to Libya with the help of the US and the UK.[58] Their imprisonment—along with Gaddafi's son Saif Gaddafi's desire to reform Libya's international standing—influenced the LIFG leaders and key regime figures to engage in a dialogue from 2005 to 2009, dubbed the 'Revisions Process.'

Widely and misleadingly[59] portraying LIFG leaders as disavowing armed violence in exchange for freedom, the 'Revisions Process' culminated with the release of half of the six LIFG leaders who partook in the dialogue. In fact, the LIFG leaders' buy-in to the dialogue process was predicated not only on their desire for their peers to be set free, but also a shift in their own convictions, and more importantly, the regime's own

predisposition to make amends with them.[60] However, optics surrounding the dialogue and its outcome, which were controlled by the Gaddafi regime, shaped a narrative in which defeated LIFG leaders renounced violence in exchange for being set free. These optics shifted the onus for honouring the agreement on the LIFG, who pledged refrain from engaging in violence, irrespective of the regime's actions, in order to avoid the terrorist label. The LIFG leaders released were Khalid al-Sherif,[61] Sami al-Saadi, and Abdelhakim Belhaj—as well as much of the younger rank and file in prison. The other three leaders, namely Mustafa Qunaifidh,[62] al-Qaid, and al-Dawadi, were released on 16 February 2011, a day after protests over the Abu Salim massacre had begun gathering momentum in eastern Libya. Heeding the events, LIFG members abroad rebranded the LIFG, launching the 'Libyan Islamic Movement for Change' (LIMC)—*al-haraka al-Islamiyaa al-Libiya lel-taghyeer.* This rebranding was not necessarily an attempt to move into legitimate state politics, but more of a reactive attempt to create a space for the LIFG to potentially partake in the revolution, without tarnishing the revolts with the reputation of a group that had an explicitly Salafi-jihadi 'brand' attached to it. Surprised by events that erupted at a time when they had arguably lost hope in changing the Libyan system, the LIFG leaders and their rank and file—now free from prison and known to the Libyan public—were well-placed to affect the trajectory of events to come.

The revolution saw the LIFG's senior members make utilitarian choices and strike alliances with the LMB, with whom the LIFG shared ideological affinities and struggles. While revolutionary forces—including those associated with the LIFG and the LMB—were initially focused on outmanoeuvring the regime militarily, it quickly became clear to Islamists that they needed to devise a different strategy for political representation. Members of the LIFG and the LMB converged on the need to counterbalance the personas of those comprising what was then perceived to be an 'overly liberal' NTC.[63] However, channelling this alignment into a common approach proved challenging as the parochial interests of LIFG and LMB figures constrained Islamists' ability to operate as a cohesive bloc. While the alliance of the LIMC with the LMB under the banner of the 'National Gathering' spoke to a degree of ideological alignment amongst

Libya's Islamists, their collective inability to politically cooperate augured the fragmentation that would soon mire their ranks.

This homogeneity, underpinned by an aversion to perceived 'secularists,'[64] carried through and beyond the revolution. The paths that the former LIFG leaders—as well as their rank and file—took or chose during the revolution already laid the seeds for the factionalism that would characterize internal dynamics within their ranks. Indeed, after unsuccessfully attempting to co-opt LIFG leaders into denouncing the protests,[65] the Gaddafi regime quickly shifted strategy, portraying the revolution as a movement led by extremist forces—notably al-Qaeda's Osama bin Laden[66]—to delegitimize the uprisings and feed into well-known narratives propagated over the years surrounding the War on Terror. Gaddafi detained al-Saadi and al-Sharif in Tripoli in February until the city fell to rebel forces six months later, but former LIFG leaders Belhaj, al-Dawadi, al-Qaid, and Qunaifidh all partook in the revolution. The ex-LIFG cadre also participated, embedded within revolutionary forces,[67] though a number of fighters—particularly a younger cadre influenced by their participation in the Iraq war—had pronounced *takfiri*[68] views and exhibited scepticism about democracy and the NTC's legitimacy.

The LIFG's polarizing public image, Gaddafi's decades-long demonization of the group, its transnational links, and the wide array of ideologies it amalgamated influenced its manoeuvring in the revolution and its aftermath. The group sought to overcome suspicions about its jihadi past and its affiliation with al-Qaeda and the more radical LIFG-linked Salafi-jihadi groups that questioned the very notion of 'democracy.' However, diverging approaches emerged as to how the rebranding of the LIFG would be achieved. With covert support from Qatar, NTC figures from Tripoli and Misrata as well as LIFG and LMB-linked Islamists, Belhaj positioned himself as head of the Tripoli Military Council after the capital's liberation, rebranding himself as a 'revolutionary leader.' Khaled al-Sharif established a National Guard, an umbrella-like structure styled as border guard which amalgamated revolutionary and Islamist forces. Former LIFG members also took on prominent roles in ministerial portfolios, capitalizing on foreign backing, Islamists' sway within the NTC, and their old networks that formed part of post-revolutionary hybrid security structures.[69] Nevertheless, Gadda-fi's killing in October 2011 and the upcoming Libyan elections of

July 2012 forced the LIFG to introspect and define their role in a post-revolutionary Libya.

Elections in 2012: Libya's democratic experiment and the two parties

For over two decades, the LIFG had defined itself as a group whose aim was to remove Gaddafi and establish an 'Islamic State' in Libya. The killing of Gaddafi in October 2011 triggered an identity crisis for the LIFG; it forced the group to question the second assumption, but more importantly, to look internally and more clearly define its role in the country's future. Despite its initial declared goal of establishing an Islamic State after doing away with Gaddafi, the fact that the authoritarian's death was the culmination of a revolution in which LIFG members were actors—and not necessarily protagonists—forced the group to revise its purpose.

Moreover, establishing an Islamic State stood at cross purposes with democratic aspirations, which most revolutionary forces espoused. In a ceremony in Tripoli's Tobactus Hotel in November 2011, a meeting of some 400 LIFG members—many of which had never met before—was hosted to discuss the group's future.[70] A consensus to respect Libya's nascent democratic process was reached, with key LIFG leaders inspired by other Muslim-majority countries' approaches to governance to believe that democracy was no longer to be viewed as irreconcilable with Islamic values. The LIFG, as a Salafi-jihadi group, was officially disbanded. A collective decision was reached to formally convert the LIMC into a civil movement that would focus on *dawa* work. A five-member steering committee—which brought together figures like Belhaj, al-Qaid, al-Saadi, and al-Sharif—was voted in to head the newfound body, which was dubbed *harakat al-Islah al-Islami*, or the 'Islamic Movement for Change' (ISMC). The latter was far less exclusive than the LIFG, opening recruitment amongst Libyan youth who wished to support its political vision and *dawa* efforts. Not all members of the LIFG joined the ISMC however, as many considered that with Gaddafi gone, belonging to the group no longer served any purpose since they did not identify with the movement's new objectives.

For Mustafa Krera—an ex-LIFG member and ex-head of the political bureau of the ISMC—the Tobactus meeting was 'an inflection point that we now look at with mixed feelings.' While the event revealed the wide variety

of personal backgrounds that the LIFG had brought together under one umbrella, the meeting's conclusion also left the group directionless; 'with everyone able to tap into different networks, we could have instead focused on collectively redefining our role and familiarising Libyan society with our agenda, which would have helped our performance in elections afterwards,'[71] he added. Instead, the meeting fragmented the group at a time where it was still suffering from residual suspicion over its jihadi past across wide segments of Libyan society. Political opponents also capitalized on the legacies of Gaddafi-era stigma by consistently associating the group with al-Qaeda in the media.[72] This forced another round of fragmentation in the now-defunct LIFG, whose key figures' approach to elections diverged.

Ahead of the electoral process, Belhaj unilaterally announced his resignation as head of the Tripoli Military Council and his establishment of *al-Watan*[73] (The Homeland) party. A revamped version of the National Gathering, *al-Watan* sought to brand itself not as an Islamist party, but an inclusive one. It brought together an amalgamation of figures that called for moderate Islamic democracy, bringing together Islamists—including ex-LIFG members and LMB members—but also businessmen, youth, civil society activists, and more liberal voices. Belhaj's move caused tension with his ISMC peers—particularly al-Gaid and al-Saadi—who had not been informed about his plan. Suspicions over the lavish funds that Belhaj had sourced for establishing his party, coupled with ISMC's own plans to establish a political party, exacerbated rifts between him and his peers.

Belhaj's move split the ISMC, as members were drawn to his party due to his former role as head of the LIFG, but also because of *al-Watan's* superior financial resources. Funded largely through individual contributions of its own members, the ISMC lacked the ability to effectively support those that would campaign under its banner. Attempting to mend the growing rift that his manoeuvre had engendered, Belhaj invited members of the ISMC, including al-Gaid, al-Saadi, and Krera to debate a select group of his *al-Watan* party in order to illustrate that their visions for Libya aligned. 'Upon discussing things with them in more detail, we realised quickly that even they did not agree amongst themselves about their party's agenda,' said Krera.[74] Indeed, while certain members of *al-Watan* were open to accommodating the ex-leaders of the LIFG within their ranks, others feared including them would reflect negatively on the party's

performance. Moreover, the broad umbrella of views within *al-Watan* also translated into an ambiguous stance towards the role that Islam would play in politics.[75]

After internal debates, the ISMC's consultative committee agreed that they preferred to establish their own party, one that would channel their own vision, even without Belhaj's support. The group informed Belhaj of their decision, giving him a chance to choose between the ISMC or *al-Watan*. Belhaj chose the latter, resigning from his position at the ISMC in the process. Al-Saadi subsequently established *al-Umma al-Wasat* (The Central National Party), an explicitly Islamic party with a more conservative agenda and a clearer stance on sharia's role in governance. Considered to be the ISMC's political wing, the party featured far more members of the ex-LIFG, including al-Gaid, al-Sharif, and al-Dawadi. Some members of *al-Watan*, uneasy with the party's inclusive approach and its ambiguous stance on sharia, defected to *al-Umma al-Wasat.* Nevertheless, the party lacked the financial capabilities to support its own candidates in the lead-up to elections, prompting several candidates that were part of the ISMC to run as independents in the July 2012 elections.

Neither *al-Umma al-Wasat* nor *al-Watan* secured any party list seats in the 2012 elections. Al-Qaid, who ran separately in his hometown of Murzuq in southern Libya despite being part of al-Saadi's party, secured a seat at the General National Congress. 'The fragmentation of the ex-LIFG was visible for all to see,' recalls Krera.[76] In certain locales, banners of members of the ex-LIFG were ironically hung adjacently, with some running independently, while others ran under *al-Watan* or *al-Umma al-Wasat*. All in all, the consecutive rounds of fragmentation that the LIFG experienced as well as its inability to collectively strategize against the new revolutionary backdrop and the opportunism of its own members rendered the group politically ineffectual. Nevertheless, Islamists still left their mark on Libya's political development followoing the killing of Gaddafi.

Conclusion

This chapter has portrayed the ways in which the most prominent Islamist actors in Libya tried to gain influence in a political system opened up via constitutional means, namely by forming parties and participating in elections. The section has covered the divisive rhetoric the groups promoted

in trying to distinguish themselves from their non-Islamist opponents and why they failed to gather popular legitimacy and support in Libya, a country that is decisively conservative but did not prove particularly permeable to agendas of political Islam in 2012. Furthermore, the focus on the MB-affiliated JCP in addition to *al-Watan* and *al-Umma al-Wasat* parties outline and explain the overlaps and existing networks from which domestic Libyan players drew in 2011 and thereafter.

The existence of and reliance on these networks is unsurprising for anyone following Islamist developments in the 21st century, but their relevance is particularly noteworthy for a country like Libya, which has lived through multiple decades of severe domestic repression under Gaddafi. The resilience of these bonds is partly attributable to the shared experiences of oppression under the Gaddafi regime, with actors exhibiting solidarity with one another whether in exile or prison (most notoriously in Abu Salim). This solidarity underpinned the inception of several of the Islamist parties examined in this chapter. However, the networks crafted through shared experiences of oppression morphed over time, influenced by the different patterns of competition and cooperation that emerged between these Islamist actors in the years that followed. The diverging paths and strategies these Islamist actors opted to take in post-revolutionary Libya illuminate the extent to which Libya's Islamist milieu experienced fragmentation and saw a repurposing of old networks in new shapes.[77]

For Libya in 2022, over a decade after the revolution against Gaddafi, these dynamics are still pertinent, as the discourse surrounding Islamist versus non-Islamist forces has been exploited numerous times over the course of several waves of civil war that have embroiled the country. Therefore, understanding fearmongering[78] and actual influence of Islamist actors, as well as the potential venues for compromise and political cooperation is as relevant today as in 2011–12.

PART II

LEGITIMISING GOVERNANCE

4

ORGANISING SHARIA POLITICS AND GOVERNING VIOLENCE

AL-SHABAAB'S REBEL PROTO-STATE IN SOMALIA

Christopher Anzalone[1]

On 13 November 2008, as the Somali Islamist insurgent organization Harakat al-Shabaab al-Mujahideen (hereafter referred to as 'al-Shabaab')[2] solidified its control over most of southern and large parts of central Somalia, insurgent officials and military commanders gathered the population of the key port city of Marka (Merca) to announce the implementation of a new system of law and order based on the organization's interpretation of Islamic law (sharia) and jurisprudence (*fiqh*). This new politico-legal order would be based in particular on al-Shabaab's reading of Islamic penal law, in particular the *hudud* ordinances within broader Islamic law, commencing what insurgent leaders said would be a 'new stage' in society through the 'implementation of sharia' (*tatbiq al-shariʿa*).[3]

Speaking to the gathered civilians, al-Shabaab leaders paraphrased a speech attributed to the first Rashidun ('rightly guided') caliph, Abu Bakr, in which the first successor to the Prophet Muhammad told the first Muslims to only obey him so long as he remained faithful to God's commandments and the traditions and example (*sunnah*) of the Prophet,

remaining on the correct path; and the Muslims should not obey him and work to correct him if he erred.[4] Marka's residents had nothing to fear unless they violated the 'sanctity of God' (*hurmat Allah*) represented by sharia, and even those offenders would be dealt with mercifully (*rahma*) and with gentleness and as leniently (*rifq*) as permitted by law.[5]

The next day, Mukhtar 'Abu Mansur' Robow, then a senior founding member and leader of al-Shabaab, who was the group's official spokesperson, delivered the Friday prayer sermon (*khutba*) in the city. He told the congregants that the insurgents' primary goal in implementing this new system of law and order was to ensure safety and security, calling for public support for the group's programme.[6] This programme was cast as one of '*hisba*,' referring to a core Islamic concept of ensuring a community's moral and ethical behaviour including mercantile transactions as well as interpersonal relations and the fulfilment of religious ritual and legal obligations.[7]

The advent and continuing relevance in the contemporary political world of Islamist rebel governing projects—including the emergence of rebel proto-states—in Somalia, Iraq, Syria, Libya, Yemen, the Sahel, Afghanistan, and other countries in the Muslim-majority world provides an opportunity to link the empirical study of specific Islamist rebel groups with the growing scholarly literature on rebel governance.[8] The study of Islamism—and specifically forms of militant Islamism(s), often popularly referred to as 'jihadism'—can thereby be increasingly situated within the broader study of civil war and rebellion, social movements, and political violence, drawing upon insights from research on other radical and revolutionary social movements and rebel groups. Despite in the last few decades making up a larger number of empirical cases of rebel/insurgent organizations seeking to and succeeding in implementing proto-state governance projects, Islamist organizations have received comparatively limited focus in studies on rebel governance thus far, though this has recently started to change.

The territorial governance projects of Islamist rebels, like those of non-Muslim rebels, include a wide array of activities including the implementation of systems of social regulation ('law and order'), distribution of material and humanitarian aid, mediation of civil disputes, and carrying out construction and agricultural projects. As part of proto-

state governance, Islamist rebel groups construct and deploy symbols and symbolic repertoires that advance their claim to symbolic sovereignty and the legitimacy of their socio-political authority in a systematized language meant to resonate more deeply with local civilian audiences than a naked display of insurgent power or a transactional system using material incentives alone. Symbolic power enables Islamist rebel rulers to advance their governance ambitions and claims of legitimacy through a defined narrative frame, imbuing the rebels with added historicized social and cultural legitimacy through the inclusion of specific symbols. Islamist rebel rulers also claim legitimacy through the performance of symbolically laden socio-political rituals including communal religious and cultural festivals (such as those on ʿ*Eid al-Fitr* and ʿ*Eid al-Adha*), weekly Friday congregational prayers, the reconstruction of local education systems, and by couching insurgent 'justice' within a theological, cultural, and legal framework.

This chapter examines how al-Shabaab uses symbolic power to complement both military force and the use of coercion, comparing the Somali insurgent group's strategy and practice with those of other proto-state groups such as Islamic State. The chapter also argues that al-Shabaab is, like many or even most militant Islamist organizations, largely shaped by more localized dynamics in their respective areas of operation. Growing out of a specific geographical and socio-political context and conflict environment, al-Shabaab's leadership must contend with local and regional dynamics and identities—such as Somali clan/sub-clan politics as well as nation-state-bounded and pan-Somali nationalism—and this results in an inconsistent mix of both transnational 'globalist' militant pan-Islamism à la al-Qaeda Central and a more regionalized, Somali, and East African revolutionary Islamism.

The chapter draws upon al-Shabaab statements and other documents and media productions including films—particularly from its early years as an emerging rebel proto-state—to demonstrate that the group's leadership was, from its start in 2007, fully independent from the Islamic Courts Union (ICU), of which it had previously been a part, and intently focused on pursuing a territorial governance project. Particular attention is paid to al-Shabaab's conception of 'law and order' and its interpretation and implementation of sharia and Islamic jurisprudence (*fiqh*), the political economy of its governance strategy and operations, and the key role of on-

the-ground public communal events in broadcasting its governance, authority, and authenticity and legitimacy claims.

The historical profile

Al-Shabaab did not emerge in a vacuum, but built on earlier manifestations of organized Somali Islamism that began to emerge in the 1970s and spread in the 1980s. A number of the group's founding members participated in Al-Ittihad al-Islami (the 'Islamic Union'), which governed a small, short-lived statelet around the town of Luuq in Somalia's western Gedo region in the mid-1990s after the collapse of the country's central government of Siyaad Barre.[9] In the early to mid-1990s, local Somali religious scholars (ʿ*ulama*) joined together with clan forces to form localized sharia courts as early as 1991 and 1992 to bring about a form of law and order by cracking down on banditry and other criminal activities besetting their communities.

The most sustained phase of this 'courts' movement began in 2003, when Sharif Sheikh Ahmed, a future president of the Somali Transitional Federal Government (TFG) and schoolteacher from the Abgaal/Hawiye clan, began setting up courts in Mogadishu, eventually forming an umbrella movement, the ICU, which brought together local courts and Somali Islamist actors of various types including Sufis, Salafis, ideological moderates, and more revolutionary and radical voices. Between 2004 and 2006 the ICU expanded its authority outside of Mogadishu and into much of southern and central Somalia, challenging predatory militias and warlords, as well as the authority of the weak and corrupt TFG, then headed by the Ethiopia-backed president, Abdullahi Yusuf.[10] As it brought a new semblance of stability to areas under its control, the ICU began to enjoy support from local as well as diaspora communities, with some members of the diaspora returning in the hopes that their country's fortunes were improving.[11]

The ICU's greatest strength was also its greatest weakness; it was a 'big tent' group that included Somali Islamists with a diverse array of viewpoints about politics, religion, and strategy. These ranged from Sufi figures like Sharif Sheikh Ahmed, to Salafi-influenced figures like Hassan Dahir Aweys, and the more militant revolutionary Islamists like many of al-Shabaab's founding members including Mukhtar Robow, Ahmed Godane, and Adan Hashi Farah 'Ayrow,' who spent time in Afghanistan, where he

came into contact with al-Qaeda.[12] During the first part of 2006, the ICU defeated the Alliance for the Restoration of Peace and Counterterrorism, a fractious coalition of Somali warlords and businessmen rumoured to have received US support. At the same time, the ICU's relations with neighbouring Ethiopia, a regional power, continued to deteriorate in part because of belligerent rhetoric from the ICU's more militant voices including those of Robow and senior military commander Yusuf Mohamed Siyad 'Indha'adde' (a nickname meaning 'White Eyes').

In late December 2006, aided by US military intelligence, Ethiopia invaded central-western and southern Somalia, and by January 2007, it had succeeded in toppling the ICU, whose leaders fled to neighbouring countries. The subsequent Ethiopian occupation, which continued until January 2009, created an environment in which al-Shabaab and other Somali Islamist insurgent groups emerged, with popular support in their early years, to combat foreign forces. It was in 2007, from the ashes of the ICU, that al-Shabaab emerged as a fully independent insurgent/rebel organiational actor playing on pan-Somali nationalism and a militant form of 'glocalized' Sunni Islamism.

Islamist proto-states and rebel governance

The relationship between rebel governing regimes and the local population parallels the relationship between national governments and their local citizens/civilians. 'Governance' refers more broadly to the different ways that insurgents and civilians interact with one another, which can vary significantly in terms of formalization and stratification.[13] Insurgent governance, as mentioned, can include a wide range of activities in addition to the demonstration of power through symbolic actions meant to underline a rebel group's claim to political legitimacy as well as to complement the performance of specific political legitimacy-claiming acts (political rituals).[14] Rebel groups, which often have fewer human, material, and financial resources than their opponents, also face the challenge of reapportioning some of their already limited resources from solely waging an insurgency to also investing in the building of a civil administration. In order to convince local civilians to either support, or at least acquiesce to and not rebel against, their governance, rebel rulers often find that a mixed 'carrot-and-stick' approach where incentives are combined with selective

coercion and controlled proto-state violence works better than force alone.[15] Civilian participation and collaboration are often essential to a rebel group's longer-term governing strategies and ambitions because they invest local communities—or at least segments of them—deeper into the rebels' state-building project while convincing more sceptical members of society to at least not actively resist or rebel against continued rebel control.[16]

Central to Islamist rebel governing priorities is the control, narration, and framing of proto-state violence, in particular the *violence of control*—acts of public violence aimed primarily at a domestic on-the-ground audience and used as a means of demonstrating (through political performance) insurgent power for purposes of social regulation and order. The insurgent proto-state's violence of control must be carried out in public in order for it to have symbolic and performative power because, as a framing mechanism, this type of demonstrative power, up to and including violence, relies on its public nature for potency. If performed in private, the violence of control loses a significant part of its regulatory and symbolic power and utility as a means of power projection by Islamist rebel rulers.

To be effective, rebel governing structures must be able to develop an effective means for policing and providing security and relative stability that enables other civil governance to occur. They must develop dispute resolution processes that are used by civilians and provide locals with public goods and services beyond the provision of security—these goods and services can include education, healthcare, and food and other humanitarian aid.[17] Al-Shabaab, since it began establishing civil administrative structures and capabilities in 2008, has been committed to achieving 'comparatively effective governance' of territories it controls through the setting up of administrative bodies and processes and devoting a significant amount of time and organizational resources to maintain them.[18] Today, even after facing major military and political setbacks between 2011 and 2015, al-Shabaab as a governing force remains at least on par with the internationally recognized and backed Somali Federal Government (SFG), outperforming them in terms of tax collection as well as, arguably, 'justice' provision and the mediation and adjudication of civil disputes.[19]

Originating as small, clandestine groups with little to no direct or even indirect experience with governing territory, al-Shabaab and other Sunni

Islamist governance-oriented rebel groups—including Islamic State—had to make strategic decisions as they were transitioning into insurgent proto-states by attempting to put into practice highly theoretical (and largely only theoretical) political vision(s) that they had developed on paper but had yet to test out in the real world.[20] Al-Shabaab's implementation of its system of governance, which began in earnest in 2008 as it began conquering large amounts of territory including major urban and commercial centres, was a notable experiment in Sunni Islamist rebel statecraft as a real, lived phenomenon, rather than a solely theoretical exercise existing only on paper and in the minds of utopian Sunni jihadi ideologues.

Al-Shabaab, like most other Sunni Islamist proto-state rebel groups and state-building projects, centres around malleable and ever-evolving interpretations of core concepts in Islamic moral and political thought. These include the realization of justice (*ʿadl*) through actively implementing the key Islamic religious principle of 'enjoining/commanding the right and forbidding the wrong' (*al amr bi-l-maʿruf wa-l-nahy ʿan al-munkar*).[21] What Islamist insurgent leaders sought to do was build an idealized, ordered, and, in their eyes, ideologically pure state and government. The utopian idea of a 'pure' moral order and state is often arguably more important than actually achieving effective or 'good' governance. Here, the ideological and strategic goals of al-Shabaab and other Islamist insurgent groups regarding the way(s) in which they pursue governance are often, though not necessarily always, at odds.[22]

The mechanisms through which law and order and imposed justice, however harsh, are implemented are through al-Shabaab's interpretations of sharia and *fiqh*, specifically the group's reading of Islamic penal and criminal law which, for the insurgents, is primarily centred on and reduced to the public carrying out of the *hudud* penalties. These penalties include floggings or executions for illicit sexual offences (depending on the convicted person's legal culpability, such as whether or not they are married and whether or not they have a mental incapacity), hand amputations for thieves, and executions of individuals (such as accused spies) found guilty of 'apostasy' from Islam.[23] The penalties applied in al-Shabaab's practice largely conform to the implementation of other Sunni militant Islamist proto-state groups. The *hudud* offences include theft (*sariqa*, above a certain value amount), highway robbery and banditry (*hiraba*), illicit sexual

relations (*zina*, including fornication and homosexuality/*liwat*), apostasy (*ridda*), the consumption of alcohol or other intoxicants (*shurb al-khamr*), and false accusations of *zina* (*qadhf*). The public punishment of the *hudud* offences includes important symbolic, ideational, and narrative dimensions for al-Shabaab's projection of both its power and its ideological commitments. The performance of the *hudud* punishments serves as a potent public enactment of insurgent power, organizational identity, and socio-political claims-making that demarcates the boundaries of authority and regulates specific types of public and private behaviour and interpersonal, inter-communal relations. The implementation of the *hudud* punishments, however, is not only an ideological and power exercise, but is also intimately connected to the rebel rulers' economic interests.

While the rapid territorial expansion of Islamic State eventually outpaced its military and governance capabilities in the longer term, al-Shabaab, by contrast, has tended to favour a more gradual and locally rooted approach to governance that relies heavily on establishing working relationships, or at least understandings, with local notables and pre-existing groups and social structures including Somalia's clans and sub-clans, which form a key part of Somalia's social and political fabric.[24] Despite the transnational and globalist aspects of its ideology, rhetoric, and revolutionary character, al-Shabaab also emerged in a socio-political and cultural environment where pre-existing social identities continue to hold a strong sway over individual as well as group identity.

In order to be successful, al-Shabaab's leaders and governing administrators have sought to shape these existing social structures and identities to their benefit rather than combat or attempt to uproot them entirely. Al-Shabaab has taken a more gradual and missionary propagation (*daʿwa*) approach in their relations and outreach with local communities and Somalia's clans and sub-clans, hoping to win some over as allies, attract others into cooperative and mutually beneficial partnerships, and convince the rest to not actively resist or rebel. Civilians have three general options in civil war environments, and their preferences can shift over time as on-the-ground dynamics change. First, they can side with the state. Second, they can side with the insurgents or, in a conflict where multiple rebel groups exist, a specific group over others. Third, they can choose to side with neither the government nor the rebels and instead maintain a more flexible position between the two sides. In the latter scenario, some local

notables and social groups may seek to establish connections to both sides when it is seen as being in their best interest.

Central to al-Shabaab's strategizing and goal-making is its competition with the internationally backed and financed SFG and the governing administrations of the Somali regional states. The insurgent proto-state is engaged in a 'counter-state sovereignty'[25] project pursued through both mimicking as well as, in some cases, arguably outperforming the SFG and Somali regional state governments. Areas where this is most clearly demonstrated are in the administration of 'law and order' and 'justice' through the running of courts and mediation mechanisms for both inter-clan and civil disputes, taxation, the provision of some humanitarian/natural disaster relief and social services, and the carrying out of public works projects including irrigation and infrastructure repair and construction.

Rebel governing regimes do not exist in a vacuum but instead rely on a complex set of relationships and continual negotiations between the rebels, the social groups, and nodes of local power in society, such as clan or tribal notables and religious leaders. These relationships and negotiations are multi-directional and dialogic, with each participating party seeking to further its own set of goals and interests. In their interactions with each other, the participants are also changed, and their collective interests can converge and shift throughout different periods of their relationship or alliance.[26] Al-Shabaab, despite claiming to represent a thoroughly and primarily 'Islamic' political project and vision, actively engages with independent local and regional nodes of social power including clan and sub-clan leaders as well as other non-state armed factions and, through its existence, has found it necessary and even beneficial to enter into negotiations with them. These interactions and engagements can result in alliances, modus vivendi understandings, or hostilities between the parties. Each party tries to pursue its own interests. While rebel proto-state administrators seek to get local notables and other groups in society to participate and invest in (or 'buy into') their governing processes as participants, local notables are often adept at playing the state and the rebels against each other in order to further their own interests.

The start of al-Shabaab's rebel governance

In his mid-November *khutba* (sermon) in the port city of Marka, Mukhtar Robow, al-Shabaab's spokesman and a senior commander, highlighted the role of al-Shabaab's de facto police force, the *Jaysh al-Hisba* ('Army of Verification/Regulation'). The *Jaysh al-Hisba* was tasked with carrying out 'law and order' campaigns, cracking down on wanton criminality including predation by independent warlords and gangs in cities, towns, and on the roads. Robow announced the establishment of courts in each locality that would oversee the implementation of sharia and the *hudud* à la al-Shabaab.[27] On the same Friday, while Robow was addressing the residents of Marka, other senior insurgent leaders were making similar speeches to civilians in other urban centres including Janaale to the west of Marka, where founding al-Shabaab member Ibrahim al-Afghani spoke.[28] Al-Afghani encouraged Janaale's residents to join the fight against foreign forces in Somalia and the Somali 'clients' (*ʿumala*) who he said were collaborating with the new 'Crusaders' (*al-salibiyyin*).[29] Unlike other Somali political factions, al-Afghani said al-Shabaab did not represent a particular clan or parochial political programme but rather was attempting to rise above destructive clannism and clan-based politics that had been at the forefront of the country's civil war following the collapse of the Siyaad Barre regime in 1991.[30] Somalis, he said, should unify first as Sunni Muslims and transform their war-torn society through the application of 'God's law' (*shariʿat al-Rahman*) and the eradication of injustice (*zulm*).[31]

In 2008 and 2009, as it came to control a growing number of major population and commercial centres including the important cities of Baidoa, Marka, Kismaayo, and, later, large parts of the federal capital of Mogadishu, al-Shabaab began to invest resources and energy into building civil governance institutions and processes. As it rolled into newly captured villages, towns, and cities, al-Shabaab publicly announced the implementation of the insurgents' version of sharia, which was focused on establishing insurgent 'law and order' through the carrying out, where necessary, of the *hudud* penalties as well as discretionary (*taʿzir*) punishments. The public nature of these announcements and the public carrying out of the penalties ordered by insurgent courts was symbolically important for two reasons. First, it challenged the authority and legitimacy of the internationally backed Transitional Federal Government of Somalia (TFG). Second, it broadcast al-Shabaab's counter-state sovereignty and its

ability to, for much of its existence from 2008 onward, equal or surpass the capacity of the TFG and, after the 'transitional' period ended in late August 2012, of the SFG.

In the formative period (2008–2009) of establishing its governing structures, al-Shabaab used the *Jaysh al-Hisba* to reach out to local civilians to cooperate with or even join the insurgent group.[32] It was through the realization of an insurgent 'sharia politics' (*siyasa al-shariʿiyya*) and sharia-induced justice that war-torn areas of the country would reunite with the 'spirit of brotherhood and harmony' (*ruh al-ikhwa wa-l-talaf*).[33] As part of its work, the *Jaysh al-Hisba* focused on defeating independent armed groups and criminal gangs, removing checkpoints where they had previously taxed/extorted money from travellers and merchants. Highway bandits and other thieves were arrested, tried, and punished, and coffee shops and other public spaces were policed to remove what the insurgents deemed to be forbidden (*haram*) temptations (*shayatin*).[34] The strategic exercising of public coercive force and violence remains an integral part of the group's system of governance and territorial control. This was initially welcomed by many, but not all, local civilians because al-Shabaab had succeeded in chasing out gangs and other criminal elements.[35] Al-Shabaab's political culture—its use of symbols, political rituals, and symbolic power to advance claims of cultural and politico-religious legitimacy—include the work of its courts as well as higher levels of the insurgent judiciary such as the grievances response (*radd mazalim*) court and the security court run by its internal security apparatus, the *Amniyat*.

Insurgent 'law and order'

Al-Shabaab's main goal in its governance project was and remains the establishment and subsequent maintenance of an environment of relative 'law and order,' however harsh, so as to win over the support or at least the acquiescence of locals. Of particular interest to rebel rulers are merchants, traders, farmers and pastoralists, and other businesspeople who would benefit from crackdowns on bandits, thieves, and other criminals and also from the monopolization of 'legitimate' (state) violence by a single actor—the insurgent proto-state—instead of a multitude of different groups.[36] There were clear economic goals to the insurgent leadership's focus on

eradicating certain types of crime, chief among them property and economic crimes such as highway brigandage, burglary, and theft, which will be discussed in the next section.

Criminals who were captured by the *Jaysh al-Hisba* were punished in public squares and fields so that their cases served as examples to others—demonstrations of the insurgents' capabilities as well as their intent. Offences such as homicide, rape, and child molestation—which were deemed by insurgent administrators to be socially destabilizing—were classified by al-Shabaab as serious crimes for which those convicted would be severely punished. In a case heard by an insurgent court in the Banaadir/Mogadishu region and overseen by Robow, a gang of criminals was arrested and tried for the torture and murder of a mother and her two sons following an eighteen-day investigation. The six accused criminals were put on trial for their varying roles in the attack and received sentences ranging from monetary reparations and flogging to imprisonment and up to execution as 'retaliation/punishment in kind' (*hadd qisas*), depending on whether they had participated directly or indirectly in the torture and murders.[37] In a second, unrelated case, an insurgent court in the Lower Shabelle region convicted and sentenced to death two brothers for killing their parents and a neighbour in the towns of Qoryoley and Buulo Mareer following interviews with witnesses conducted by the *Jaysh al-Hisba*.[38] In a 2011 case of accidental homicide, the offender was judged to be responsible and ordered to pay monetary compensation (blood money, or *diya*) to the victims' families.[39]

The public nature of its punishments—including floggings, executions, and the public bodily display of criminals—for offences deemed to be harmful to the social order served as both a deterrent as well as a means for the insurgents to advertise the start of their governing project over areas under al-Shabaab's control. Insurgent violence of control was performative, symbolic, ritualized, and strategic, as well as ideological, whatever the group claimed about the sole 'purity' of its 'religious' motivations for enacting it. There were—and still are—clear temporal interests at play in al-Shabaab's implementation of its conception of law and order, which often involves negotiations and cooperation with local notables.[40] The adjudication and punishment of infringements to al-Shabaab's system of law and order are carried out at several levels—from the very local level of

individual checkpoints, to the administrative district level, to the provincial level, with individual commanders and administrators given leeway to determine courses of action.[41] Defectors and internal dissidents are handled by the *Amniyat*, which runs its own judiciary and prisons.

Al-Shabaab was at pains to emphasize that the new insurgent order governed all segments of Somali society, including members of the group itself. In an April 2010 case, a member of the *Jaysh al-Hisba* was arrested and charged with murdering a man in the Lower Shabelle region following van investigation and was ultimately sentenced to death and executed in accordance with a *hadd qisas* ruling. In its ruling, the court said, 'The family of the murdered man requested equity in punishment … let everyone see that there is no judgment but God's and let the people see that the soldiers of *Tawhid* (absolute monotheism) in Harakat al-Shabaab al-Mujahideen are of the Muslim *Ummah* and [the group] will not hesitate to implement the rulings of Islam that call for equity in punishment even against its own members.'[42] In an April 2008 case in the Bakool region of western Somalia, another al-Shabaab member was charged with killing another man intentionally and, after the victim's family chose *hadd qisas* as the punishment instead of opting for *diya*, the convicted insurgent was executed. The insurgents, citing a Quranic verse (2:179) about the option between *qisas* and accepting *diya*, said that their 'fairness' was demonstrated by the fact that they even implemented the sharia on one of the group's 'heroes' (*min abtalina*) whom they prayed to God would be accepted as a 'martyr' despite his crime.[43] Insurgent leaders and administrators said that they would not 'shed blood' except in cases where it was justified and even required by Islamic law, though they acknowledged that they were fallible and thus invited the *umma* to 'correct them' for any illicit actions by their members.[44]

Governance in a time of setback: The mazalim court

In the autumn and winter of 2011, as battlefield pressure mounted on al-Shabaab amidst a new series of military offensives spearheaded by the African Union Mission in Somalia (AMISOM) forces, together with TFG troops and allied clan-based militias, the insurgent leadership announced the opening of a new office and court of grievances (*mahkama al-mazalim*) in the Middle and Lower Shabelle regions. Al-Shabaab did so by first noting

the Islamic historical precedence of the institution of the *mazalim* court in ensuring that even state officials are held accountable to the justice of sharia. The insurgents' announcement said that the new grievances response court would 'cover the grievances that are committed by those in power and those with authority—from the *amir* (head of the group), officials, and soldiers—in order to address the people's grievances and provide redress for the oppressed from their oppressor even if the oppressor is a governor.'[45] The first *mazalim* courts would be opened in Lower and Middle Shabelle before later expanding to other insurgent-held regions.[46]

Mazalim courts historically were an institution where, in theory, state officials were held accountable and normal people could come to lodge complaints and cases about even high-ranking government officials for abusing their power.[47] Al-Shabaab's establishment of a *mazalim* court system came after years of the insurgents' proto-state governance, including forced conscription, taxation, and other forms of exploitative and predatory behaviour. It is significant that the *mazalim* court was introduced as the group began to lose significant amounts of territory. The establishment of the *mazalim* courts was one of the ways that insurgent administrators sought to mitigate the negative impact of these setbacks by promoting an image of responsible governance as its chief rival, the TFG, seemed poised to expand the extent of its own political authority.

In the spring of 2012, al-Shabaab's *mazalim* court heard dozens of cases, some of which, the insurgents claimed, had been festering for many years due to destructive clannism and clan conflict that arose in the late 1980s and early 1990s.[48] Cases were adjudicated by a panel of judges headed by al-Shabaab's chief judge (*qadi*), ʿAbd al-Haqq, with other senior insurgent officials, including spokesman ʿAli Mohamud Rage (ʿAli Dheere), and local clan elders (*zuʿama al-ʿasha'ir bi-l-wilaya)* also in attendance.[49]

The political economy of al-Shabaab's governance

Economic goals and interests were central to Al-Shabaab's system of law and order and interpretation and implementation of sharia, particularly during its early years starting from 2008. The insurgent group's drive to crack down on economic and property crimes including highway

brigandage, theft, and unregulated (by the insurgents) violence was in part meant to allow for the relative revival of local economies, which the group in turn would tax as one of the ways it would finance its insurgency and civil governance operations. This campaign was backed by al-Shabaab's strategic and symbolically laden public implementation of the violence of control through the *Jaysh al-Hisba*. These governance operations include ongoing small- to medium-scale public works projects, the collection and distribution of humanitarian and other forms of aid, the running of health clinics for people and livestock, irrigation projects, and an expansion of the insurgent administration's capacity.[50]

In addition to levying taxes on merchants, farmers, and pastoralists, al-Shabaab also built on the previously successful strategy of the Islamic Courts Union.[51] They did this by developing working relationships with members of the Somali business community, including those involved in livestock and charcoal trading and smuggling between East Africa and the Arab Gulf states, based on the insurgents' ability to attract the latter's support by implementing a relative semblance of law and order.[52] Insurgent officials also sought to win the support of other local civilians for their *hisba* and economic revitalization campaigns, and the group certainly broadcast a carefully choreographed image of itself as being in touch with local communities' preferences and interests.[53] Al-Shabaab spokesman ʿAli Rage, speaking at a public event in December 2010 held in Afgooye in the Lower Shabelle region, claimed that the group's success in winning local support was because it had done away with the destructive, chauvinistic clannism that had marked the country's civil war in favour of an 'Islamic' universalism and 'sharia rule' (*siyasat al-sharʿiyya*).[54] During the early days of its media department and information operations, al-Shabaab juxtaposed its claims of the success of its new system of 'law and order' with references to the corruption of the TFG, with insurgent video productions using footage of TFG troops looting stores in Mogadishu's Bakaara Market.[55]

Al-Shabaab benefited not only economically, but also in terms of its image on the ground, initially by imposing a new system of law and order and governing control over newly captured territories. The group's crackdown on the multitude of highwaymen, criminal gangs, and warlords, coupled with its distribution of material aid and mandated charity (*zakat*),

allowed al-Shabaab to highlight the positive, beneficial effects of insurgent rule, while also masking the often harsh realities of its new territorial political order. Al-Shabaab's administrators, as political entrepreneurs, used coercive power and top-down (proto-) state violence to implement law and order centred on the group's conception of Islamic law, jurisprudence, and 'sharia politics'—in particular the *hudud*. Local civilians, businesspeople, farmers, and pastoralists have what is in many respects a Faustian bargain in front of them—the exchange of multiple predatory groups all competing to extract money and other resources for a single organization, al-Shabaab. While al-Shabaab was also predatory, it offered a more regulated form of coercion and (proto-)state violence, allowing locals to have a better sense, relatively, of what was expected of them and also enabling them to deal with a single group instead of multiple groups on a day-to-day basis.

The success of any (proto-)state-building enterprise relies, to a significant degree, on a government's or organization's ability to collect revenue from the governed population, which is needed to support its construction of institutions and to expand the bureaucracy and administration needed to run them. If they want to establish self-sufficient proto-state governing structures and project themselves as viable counter-state alternatives to existing state governments, rebel proto-state organizations must demonstrate their extractive and regulatory capacities as part of their claim to legitimacy as an alternative governing authority. By doing so, rebel rulers lend further credibility to their state-building projects by forging a social contract with at least some segments of the local population. They do this by distributing public goods, delivering some services, and carrying out public works projects in exchange for, ideally, direct civilian buy-in or, at the very least, civilian acquiescence to the insurgents' governing project.

Symbolic power and insurgent governance

Rebel proto-state organizations, in their campaigns to overthrow and replace existing governments and seize control of the state, utilize not only material incentives to win support or acquiescence but also deploy symbolic expressions of power to sway local opinions and influence behaviour.[56] The use of ritual performances and symbolic expressions and demonstrations of insurgent governing capacity and intent are systematized within a rebel

group's strategy to legitimate it as a governing authority.[57] The successful use of specific symbols, symbolic demonstrations, and political rituals to broadcast their 'symbolic sovereignty' may then decrease the need for insurgent rulers to utilize physical coercion or other forms of violence to maintain control over civilian populations.[58] In order to achieve this performativity, a rebel 'performative state'—that is, the 'repeated enactment of coded normative behaviours to produce a specific subject'—draws upon a repertoire of cultural symbols and practices to convince local populations that the rebels are a legitimate and viable alternative to the nation-state.[59]

Rebels draw upon two types of symbols: referential symbols that reference the 'latent coercive and bureaucratic power' of their political authority and condensation symbols that 'strengthen identification between the political authority and the civilian population.'[60] Successful symbols and symbolic repertoires must resonate within the society in which the rebel group operates. Referential symbols include communal events such as rallies, the use of uniforms and other costumes representing political authority, and rituals and practices of governance including tax collection. Condensation symbols, which are designed to tap into emotions, include official flags, songs, and slogans as well as the production of literature and other forms of media.[61] The ultimate goal in using symbolic power is for an insurgent group to be able to socialize the civilian population into compliance with its edicts, reshaping their behaviour in a way that responds to cues from the rebel rulers without the latter having to resort to coercion or violence.[62]

Rebel proto-state groups, as counter-state actors, take over aspects once controlled by the nation-state including the promotion of new official symbols such as flags, political artwork and graffiti, and holidays. They, in effect, mimic the nation-state. This is the case not only with secular rebel groups but also Islamist rebel groups including al-Shabaab, Islamic State, and the Afghan and Pakistani Taliban movements whose members adopt their own regalia of power, including distinctive flags, slogans, songs and poetry, and self-framing as expressed through multi-tiered media, information operations, and public relations campaigns, as well as the performance of political rituals on the ground.

Al-Shabaab, despite sharing a number of basic foundational beliefs with rival social groups in Somalia including the historically widespread and

dominant Sunni Sufi orders (*tariqa*s), also promotes a new, recast identity in which Somali identity is linked to the espousal and practice of a very particular form of Sunnism, one which rejects 'heretical innovation' (*bidʿa*), something that includes, to al-Shabaab, many Somali Sufi practices. Members and supporters of the insurgents push forward a carefully framed and ideologically historicized, and also selective, linkage between al-Shabaab and the revered Sufi rebels and state-builders in the early 20th century led by Mohamed ʿAbdullah Hassan and his Dervish movement—Hassan was dubbed by British colonial authorities as the 'Mad Mullah.' Hassan and his Sufi warriors established the Dervish State (*Dawlat al-Darawish*; Dawlada Daraawiish), utilizing pre-existing social structures including the Salihiyya Sufi *tariqa* to engage in politics and military resistance vis-à-vis British, Italian, and Ethiopian imperialism.[63] In promoting this linkage, the modern insurgents prioritize Hassan's historical identity as a '*mujahid*' resistance fighter against foreign imperialism and colonization, glossing over his Sufi identity so as to link al-Shabaab's contemporary struggle to the revered nationalist (or nationalied), Somali 'Islamic' past.[64] Similarly, contemporary Sunni Salafi-influenced or Salafi-leaning militant Islamist figures, including Ayman al-Zawahiri and different factions of Boko Haram such as Islamic State's 'West Africa Province,' (*Wilayat Gharb Ifriqiyya*) invoke historical Sunni Sufi figures, who were also *mujahid* resistance fighters combating colonialism, through selective readings and strategic rhetorical deployments. Examples include Sokoto caliphate founder Usman dan Fodio and the Caucasus' *Imam* Shamil. These actors emphasize the figures' 'warrior-*mujahid*' identity while downplaying or, more frequently, ignoring their Sufi identities entirely.[65]

One of the main ways that al-Shabaab tries to instil its ideas among local civilian populations is by exerting control and influence over the operations of schools and other educational institutions and attempting to reshape their curricula to fit the insurgents' strategic goals and ideology, the latter of which can change.[66] In addition to schools and other educational institutions, al-Shabaab organizes and runs courses on principles (*usul*) of Islamic law and jurisprudence for different groups within Somali society including traders and merchants—both men and women. Despite its belief in strict gender roles and segregation of the sexes, women attendees are a mainstay at al-Shabaab public events and the insurgent group, in its

monthly operations reports and films, frequently highlights its programmess for women and the everyday presence of female business owners, traders, and merchants.[67]

In April 2017, the group introduced a redesigned curriculum for schools in areas under insurgent control, releasing new textbooks in subjects including the Somali and Arabic languages, *fiqh*, Islamic theology and creed (*ʿaqida*), history, and geography.[68] This followed the September 2011 issuance of a white paper on the group's education goals by al-Shabaab's Office of Education and Teaching, which outlined its goal of standardizing the multiple different curricula in areas under its control in line with its organizational interests and ideology. In its announcement, the Office clearly stated that it viewed the 'reforming' and standardiation of local curricula as part-and-parcel of the 'home front' activities supporting its ongoing insurgency against the SFG and its international allies. Insurgent administrators also bemoaned the 'corruption' of education by 'Orientalism' (*istishraq*) and 'Christianization' (*tansir*), saying that in a review, they had found evidence of the 'spread of "deviant, unbelieving" beliefs' (*intishar li-l-minhaj al-kafira*) that must be removed.[69] The Office identified five 'deviant creeds' whose influence had to be eradicated and taught against: Shi'ism, ʿAlawism/Nusayrism, Christianity, Hinduism, and other 'deviations' from the 'Islamic creed' (*manhaj munharif ʿan usul al-ʿaqida al-Islamiyya*).[70] Widespread 'ignorance' among locals about the core tenets of Islamic theology and 'proper' belief and creed must also be corrected, the Office said, reorienting locals with the core 'pillars of belief' (*arkan al-iman*).[71]

Insurgent governing administrators, understanding the strategic need to both standardize varying local curricula and bring them under al-Shabaab's supervisory control, also sought to reorganize teaching methods and scheduling, claiming for themselves the rights of the nation-state government. As part of this effort, only the 'correct Sunni methodology' (*manhaj al-sahih*, *manhaj Ahl al-Sunna wa-l-Jamaʿa*) would be allowed with all other teaching methodologies banned.[72] The teaching of Arabic beginning at the primary school level would also be emphasized so students would be able to approach the scriptural texts and other religious sources directly.[73] The instruction of teachers would be carried out by the Office and then the former would be tasked with implementing the new teaching

methods and curriculum at the local level.[74] The Office began to hold public fora with local notables including clan elders, *ʿulama*, and teachers at the primary school to higher education level to introduce al-Shabaab's new education plans.[75]

Al-Shabaab, in addition to working to reshape the education sector to fit the organization's goals, deployed condensation symbols that reinforced and sought to inculcate students and other local residents with its core beliefs. These included the naming and renaming of schools and other educational institutions, as well as the strategic creation and utilization of official flags, graffiti, and public artwork including murals, banners, and billboards, the organizing of public events including courses for merchants and traders on Islamic law and jurisprudence, weekly Friday prayers, and communal celebrations to mark the two main annual Islamic holidays of *ʿEid al-Fitr* and *ʿEid al-Adha*.[76]

The insurgents also conduct programmes aimed at specific sub-groups within Somali society as part of their outreach efforts. Targeted groups include minority clans and ethnic groups including the Ajuran and Bantu communities as well as larger, more powerful clans and sub-clans including the Habar Gidir. Al-Shabaab officials also continue to seek to serve as mediators to reach truces between competing clan groups. In April 2016, for example, the then-insurgent shadow governor of the Lower Shabelle region, Mohamed Abu ʿAbdullah, supervised a mediated agreement between the Habir Gidir and Biyamal clans there, which saw clan elders from both agree to a three-month truce that would then be followed by new negotiations for a final settlement.[77] The insurgent group continues to publicize its clan outreach and mediation efforts while criticizing the SFG and AMISOM forces for 'reigniting' clan hostilities to weaken Somalia and Somali society.

Conclusion

Islamist rebel organizations that pursue (proto-)state-building projects seeking to secure and exert governing control over territory rely on a combination of arguments and narrative frames, incentives, and claims-making processes that are designed to promote an image of historical, socio-political, religious, and ideological authenticity, while also

demonstrating their viability as counter-state authorities. Al-Shabaab, in its competition with the SFG and Somali regional state governments, uses symbols and symbolic power as soft power tools with which to strengthen internal group cohesiveness and make a bid for the support or at least the acceptance and acquiescence of local civilians and pre-existing social groups and networks to its continued presence and governance.

Even the most 'globalist' or transnational of Islamist rebel organizations are shaped and even constrained by their respective environments of operation. In areas of conflict, such as Somalia, where other groups exist that can challenge rebel rulers, Islamist rebel leaders and administrators must differentiate themselves to win over recruits and supporters. Al-Shabaab, growing out of a Somalia-centred context and conflict environment despite the global ideological affinities of many of its founders with the 'global jihadism' and Sunni pan-Islamism of al-Qaeda, cannot ignore local and regional identities including clan/sub-clan identity and Somali (and pan-Somali) nationalism. Al-Shabaab's 'glocal' ideology is far from seamless and suffers from inconsistencies and contradictions, like the organizational ideologies of other Sunni glocalized Islamist groups including other al-Qaeda regional affiliates such as the different segments of al-Qaeda in the Islamic Maghreb (AQIM).[78]

Al-Shabaab's goal, like that of other rebel proto-state groups (Muslim and non-Muslim), is to achieve symbolic sovereignty, using symbols and symbolic processes to advance claims of legitimate socio-political authority. These processes are performative—they are routinely acted out in public following ritualized scripts that draw upon specific symbolic vocabularies, visuals, and sounds to produce a specific type of governed subject, a specific type of local who supports the rebels' goals or otherwise abides by the rebel group's edicts. In this, al-Shabaab and other Sunni Islamist proto-state rebel groups, including Islamic State, often mimic the very nation-states they claim to reject, and adopt and promulgate modern notions of state power including the state's expanded regulatory power, reaching into the private as well as the public and semi-public spheres of the society living under their control.

5

HAMAS'S QUEST FOR LEGITIMACY

Nina Musgrave

The challenge of obtaining and maintaining legitimacy has been a central feature of Hamas's evolution, from its 1987 inception as an offshoot of the Muslim Brotherhood to its transition to political participation and electoral success in the January 2006 Palestinian Legislative Council elections. The obtainment of legitimacy has been a predominant feature of Hamas's continual endeavours to justify various aspects of its overall ethos of resistance or *muqawamah*, which encompasses resistance in all forms—political, economic, religious, social, and violent. The challenge for Hamas in obtaining and maintaining legitimacy has been a feature of its quest to present itself to the Palestinian electorate as a legitimate resistance to Israeli occupation and to perceived endemic corruption within Palestinian domestic politics. However, Hamas has also sought to achieve legitimacy from movements, states, and institutions outside the more immediate geographical sphere of the Palestinian Territories and the Levant. It has simultaneously communicated its ethos of resistance not only to the wider Arab and Muslim world, but also to other non-state actors and Western states. While this quest for legitimacy was sought in order to bolster Hamas's ability to promote the Palestinian cause, there were times when its foreign policy showed that its endeavour had more practical implications in

the context of the movement—and attempts were made to mitigate against regional isolation and sustain itself through regional political tumult, as can be seen in particular with Hamas's political manoeuvring during the Arab Spring.

Focusing on this theme of legitimacy in the context of governance, this chapter will outline, first, what the concept of legitimacy has meant for Hamas, particularly in the context leading up to its 2006 political participation. Second, it will then explore the ways in which Hamas has sought to maintain its legitimacy since the 2006 election when it was democratically elected. Third, the chapter considers Hamas's various dilemmas relating to the Arab Spring, initially in the context of its relationship with the Muslim Brotherhood in Egypt and its decision to vacate its external bureau in Syria. Finally, the chapter considers Hamas and the theme of legitimacy today.

The lead-up to the 2006 election

This section will focus on the pre-2006 period of Hamas and discuss three thematic areas that originally informed the concept of legitimacy surrounding the group. First, it will consider the founding of the group in response to the first Intifada and the broader social service limitations by the Palestinian Authority that Hamas filled. It will then examine how Hamas utilized the term *muqawamah* (resistance) and framed itself as an offshoot of the Muslim Brotherhood to justify its entry into politics in the lead up to the 2006 elections. Finally, it considers Hamas's 1988 Charter and the 2006 'Change and Reform' manifesto to highlight Hamas's evolving political position and attempts to present itself as a more legitimate political actor.

Social services and national struggle

Hamas was founded on 14 December 1987, with the word 'Hamas' as an acronym for '*Ḥarakat al-Muqawamah al-Islamiyyah,*'which is the Arabic translation for 'The Islamic Resistance Movement.' Hamas was founded by the Palestinian Muslim Brothers as a response to the outbreak of the first intifada,the famous uprising in the Palestinian Territories. Importantly, Hamas was founded as a response to internal debate within the Palestinian Muslim Brotherhood, which centred around how the Palestinian Muslim

Brotherhood should respond to Israeli occupation. One view within the Brotherhood advocated a 'passive' response with a focus on the Islamization of society as a starting point for effective resistance.[1] The opposing view advocated a more 'confrontational' approach, which would involve taking part in the intifada, as the Brotherhood's position within Palestinian society would suffer in the longer term if it failed to join the other participating Palestinian factions.[2] Ultimately, those who argued for this confrontational approach were successful in forming the militant Islamic group which, from an organizational perspective, would be a separate entity from the Muslim Brotherhood more broadly, despite Hamas's continued allegiance to it.

While Hamas was founded as a jihadi offshoot of the Palestinian Muslim Brotherhood, it maintained a commitment to the Islamization of Palestinian society and also identified as a national liberation movement against Israeli occupation. Hamas proved to effectively tackle broader socio-economic issues Palestinians had been facing. To provide context on Palestinian economic issues, a 2002 study cited unemployment in the West Bank and the Gaza Strip at 60% and 70% respectively. Twenty years later, another study by the World Bank (focusing on the effects of the COVID-19 pandemic on the Palestinian Territories) cited unemployment in the West Bank and the Gaza Strip at 15% and 43% respectively.[3] These unemployment figures are important to consider, as they provide important context to the extent of poverty and deprivation in the Palestinian Territories, which was arguably worse before Hamas's political participation. This is not to argue, however, that Hamas has radically altered the socio-economic situation in the Palestinian Territories, and it is evident that issues such as poverty and corruption remain rampant.

Hamas's provision of social and welfare services in the Palestinian Territories before its 2006 political participation was part of a broader problem—namely the Palestinian Authority's inability to provide essential services, thus providing a 'social vacuum' that began to be filled by Islamic social organizations, including Hamas.[4] This practice of providing religious, educational, and welfare services is known as *dawa*, an Arabic term that refers to forms of missionary work within society. Hamas's use of *dawa* and its extensive provision of social services was seen by some as a form of dual strategy by the group, where it simultaneously operated as a

militant organization while also trying to ‘cement its rule by winning hearts and minds.’[5]

Writing in 2002, Sara Roy noted that there was an interesting contradiction in the status and legitimacy of these Islamic social organizations within the Palestinian Territories.[6] The Palestinian Authority’s awareness that it could not offer adequate social services afforded these groups a certain complementarity with the Palestinian Authority prior to the 2006 elections. Conversely, from an external perspective and in the context of a post-9/11 world and the advent of the ‘Global War on Terror,’ the United States had been attempting to hinder the growth of these Islamic groups. One such example was the American campaign against the Council on American-Islamic Relations (‘CAIR’) under the assumption that CAIR was, in fact, the physical expression of Hamas’s presence in the United States.[7]

One could question why, in the years before its political participation, Hamas was so inclined towards social provision and the encouragement of social solidarity. One of the main incentives was a desire to bolster the Palestinian resistance through social change, with a particular focus on influencing the younger generation.[8] As discussed earlier in this chapter, this had been one of the main reasons behind the initial founding of the group and emanated from its original Muslim Brotherhood identity. Such examples of social provision by Hamas have traditionally been medical services, clothing, and schooling. The extent of Hamas’s social provision and its entrenchment in society resulted in it being labelled a ‘shadow state’ due to way it challenged the legitimacy of existing institutions such as the Palestinian Authority and the United Nations.[9]

There are differing explanations as to how Islamic groups behave and express themselves politically. These are centred around four main approaches, some of which will invariably overlap: reform, education, preaching and guidance, and social services. Importantly, where these Islamic groups do not experience violent oppression by the ruling elite, they frequently have the freedom to operate in this manner alongside, and not necessarily in consistent opposition to, incumbent governing institutions.[10] A recent analysis by Ora Szekely on the provision of social services by non-state actors and Hamas in particular argued that the provision of these kinds of social services is, in fact, a form of ‘political advertising.’[11] The non-

state actor focuses on social provision to gain increased popular support, but the causal mechanism in the attainment of this support is not about bribing the local population but, rather—and in the case of Hamas in particular—a form of 'advertising for the kind of state the militant group will be if it takes power.' Expanding on this, Szekely argues that the success of Hamas's social service provision and the preconception of its role in Hamas's electoral success is flawed. Rather, Szekely argues that Hamas used its social provision to convince the electorate that it was not merely an ideological militant organization, but a credible political alternative to the incumbent party, Fatah.[12] Therefore, while the extent to which Hamas's social provision can be considered a causal mechanism for Hamas's electoral success can be debated, by early 2006, Hamas had undeniably embedded itself within Palestinian society, partly due to this provision of social services but also due to its place at the epicentre of the national struggle.

Hamas, ' muqawamah*,' and the Muslim Brotherhood*

Within domestic Palestinian politics and Palestinian civil society, Hamas had achieved a modicum of legitimacy prior to the 2006 elections. While generally deemed to be a terrorist group by Israel and Western governments due to its continued use of violent tactics, Hamas had simultaneously gained popularity within the Palestinian Territories thanks to its civic engagement. In contrast to the corrupt reputation of the incumbent political party, Fatah, Hamas had achieved a reputation for honesty, and its provision of social services had been considered a key factor in gaining the vote of the Palestinian population.[13]

It was Hamas's ethos of resistance, *muqawamah*, which enabled the group to justify its decision to enter the political realm, on the basis that *muqawamah* justified resistance in various forms. The meaning of *muqawamah*, translated from Arabic, is 'resistance.' However, Hamas's use of the term refers to a broader resistance doctrine and has been central to its philosophy since its founding in 1987. As this concept of resistance has been central to Hamas's decision-making since its inception, *muqawamah* has enabled Hamas to justify its use of violence in conjunction with political participation and social activism. *Muqawamah* can also be translated as 'the doctrine of constant combat' or 'persistent warfare.'[14]

This concept of *muqawamah* is also utilized by Hezbollah to frame a legitimate argument for its struggle. For example, while championing the cause of Shia Muslims in the Middle East, Hezbollah has used *muqawamah* to promote a 'pan-Arab Islamic transnational identity' and present its cause as central to the global *umma* (transnational body of believers).[15] Hamas has used the concept of *muqawamah* to appeal to the broader Muslim world and has continued to view the Palestinian cause as critical to its future, describing the *umma* as providing 'special strategic value.'[16] In this regard, Hamas considers the Palestinian cause to be equally relevant to Muslims outside the Middle East, clarifying that it is 'not simply a conflict between the Palestinians and the Israelis. It is, instead, a conflict between the Muslim Ummah and Israel's colonial expansionism.'[17]

Hamas's use and articulation of *muqawamah* is central to how it communicates its struggle in order to maintain legitimacy. While articulating the importance of the Muslim *umma* and the Islamic nature of the Palestinian plight, Hamas also calls itself a national liberation movement and stresses its willingness to liaise with other political movements that are supportive of the Palestinian cause and identifies with other groups who have fought against oppression.[18]

It is important to note that Hamas was formed as a specific offshoot of the Muslim Brotherhood, rather than a faction of it. Initially, the acronym HMS was chosen as the name for the group. However, the name was changed to 'Hamas,' which in Arabic means 'zeal' or 'fervour.' The rationale behind this reflected Hamas's desire to prevent its Islamic ethos from compromising its legitimacy. Furthermore, Sheikh Dokhan (Sheikh Yassin's deputy) explained in an interview with the author Zaki Chehab that there was an additional, political reason for choosing this name: 'The name Hamas was less threatening. We wanted something which wouldn't create the impression we were a militant organization to the Israelis, and would lessen anti-Islamic attitudes against the Muslim Brotherhood living abroad as well as avoiding a negative reaction from other Arab governments.'[19] Similarly, by slightly de-emphasizing the Islamic ethos of the group, it was hoped that Hamas's more nationalist aspirations would be appreciated.

This point about Hamas being formed as an extension or offshoot—rather than a faction—of the Muslim Brotherhood is crucial to understand as it also allowed the group to maintain operational independence and

continue employing jihad against Israel. Reflecting Hamas's emergence out of the Muslim Brotherhood, in 2011, Ismail Haniyeh—then-head of the Hamas administration in the Gaza Strip—described the group as the 'jihadi movement of the Brotherhood with a Palestinian face.'[20] Furthermore, to be promoted to a position of authority within Hamas, a member must first be invited to swear allegiance to the Muslim Brotherhood. As a Hamas leader once explained, 'Anyone can say he is Hamas. What is meaningful is to say you are *Ikhwan.*' [21]

Hamas has maintained its allegiance to the Muslim Brotherhood and consistently attributed its inclination towards democracy to its Muslim Brotherhood background. As one Hamas PLC member expressed to the author, 'We got the seed of politics from the Muslim Brotherhood.'[22] Hamas's decision to enter the political realm was entirely consistent with the Brotherhood's outlook, in that despite its ultimate quest to Islamize society, it takes a practical approach to societal engagement, which emanates from its dedication to social and political reform.[23]

Therefore, despite Hamas's insistence that it was independent of the Brotherhood and because of its willingness to pursue the principles of the Brotherhood, it did present its affiliation to the Muslim Brotherhood following its electoral success in January 2006, by describing the Egyptian Muslim Brotherhood, in particular, as the 'mother movement.'[24] In retrospect, this was notable, as the strength of Hamas's relationship with the Egyptian Muslim Brotherhood would be seen to fluctuate in the years following Hamas's 2006 victory, which ultimately harmed Hamas's legitimacy in the Arab world.

Hamas's charter

While debates about Hamas's intentions in the context of its political participation continued in the aftermath of its electoral success, there was evidence that Hamas had seriously considered the prospect of democratic governance. This can be seen through appraisals of both Hamas's 1988 Charter and its January 2006 'Change and Reform' manifesto and the stark differences between the two documents. The 1988 Charter was released very shortly after the founding of Hamas and was a maximalist document that articulated a very uncompromising stance towards Israel and the peace

process. It called for the destruction of Israel, described the presence of Israel in the Palestinian Territories as a true occupation, and refused to recognize Israel's right to exist. The Charter painted violence against Israel as legitimate and argued that violence against Israel was the duty of every Palestinian. The Charter also called for an Islamic state in all of Palestine, stressed the right of return for Palestinian refugees, and rejected the two-state solution.[25]

Reactions to the Charter, its relevance, and the extent of Hamas's intransigence had a direct impact on Hamas's quest for legitimacy, particularly within the West. The arguments were quite divisive and revealed the difficulty for policymakers and interested observers in coming to any agreement about how Hamas's success in the January 2006 elections should be addressed. One such example was Azzam Tamimi—known to have been an adviser to Hamas—who argued that the Charter was an outdated document that had ceased to accurately reflect the group's character.[26] Tamimi also explained that it was not until during the second intifada in 2000 that internal debates commenced about potentially re-wording the Charter to reflect Hamas's more political aspirations, which did not come to fruition.[27]

From a Western perspective, many saw the Charter as the overarching guide to Hamas's ideology and aspirations regarding its identity in the struggle to liberate Palestine. However, shortly before the January 2006 elections, Hamas released another document called the 'Change and Reform' manifesto.[28] This was intended to be a more practical and political document that articulated Hamas's ambitions and goals for governing as part of the Palestinian Authority. Hamas made a concerted effort to de-emphasize its religious rhetoric in favour of an emphasis on its political agenda. While the manifesto outlined detail about how Hamas intended to govern—such as a separation between the police and the judiciary and a pledge to maintain a separation between the Hamas movement and Hamas government—it did not exclude discussion of the legitimacy of violence. Rather, the manifesto said that all available means would be used to fight for Palestinian liberation, including armed resistance. However, while the manifesto did not exclude discussion of armed resistance, the document did emphasize the nationalist dimension of Hamas's ideology and stressed the importance of dialogue for addressing intra-Palestinian disputes.[29]

It could be argued that this document was somewhat of a departure for the group in the context of how it left out its desire to eliminate the State of Israel. Ghazi Hamad, a Hamas spokesman in Gaza City, said that Hamas had done this because it needed to prioritize governance and that: 'The policy is to maintain the armed struggle, but it is not our first priority.'[30] However, the 'Change and Reform' manifesto ultimately did not have a significant effect on Hamas's quest to obtain legitimacy from Western policymakers and the Middle East Quartet ('the Quartet')—the mechanism which dealt with the Middle East peace process and consists of the United Nations, the European Union, the United States, and Russia. There are arguably two reasons for this. First, the manifesto did not renounce the 1988 Charter. Second, the manifesto continued to advocate armed struggle, which was to become one of the points of dispute between Hamas and the Quartet. While the Change and Reform manifesto was an obvious attempt by Hamas to present itself as a more amenable and conciliatory group, it was unsuccessful in convincing the West that it had the requisite maturity for responsible governance and, thereby, diplomatic acceptance.

The preceding three sections have highlighted how Hamas's quest for legitimacy commenced immediately after the formation of the group. While Hamas's 2006 electoral participation can be seen as the most obvious example of this quest for legitimacy, Hamas had focused steadily on solidifying its role as an alternative provider of social services while simultaneously communicating its ethos of *muqawamah* to the Palestinian electorate through its 'Change and Reform' manifesto and the 1988 Charter. The following section assesses Hamas's political participation.

Hamas and the Palestinian Legislative Council elections, January 2006

Since its inception in 1987, Hamas's 2006 political participation was arguably the starkest and most tangible example of its self-identification as a national liberation movement and was a pivotal moment due to the group's decision to follow this dual track of violent resistance and political participation. Following January 2006, Hamas continued to strive for legitimacy while engaging in an increasingly acrimonious and violent relationship with the incumbent political party, Fatah. The two parties failed at various stages to form a functioning unity government throughout 2006,

and by June 2007, Hamas had overcome Fatah militarily and driven it out of the Gaza Strip.[31]

Hamas's success in the Palestinian Legislative Authority elections provoked much debate about the extent to which its political participation would result in the group becoming more moderate in the longer term. However, it is important to note that while Hamas's 2006 electoral success was indeed a hugely significant development for the group and for domestic Palestinian politics, Hamas had already solidified its position as a provider of religious, educational, and welfare support within the Palestinian Territories and the Gaza Strip in particular. This section will discuss the period after the 2006 election.

Success at the ballot box: The local and international response

Despite Hamas's success in achieving domestic legitimacy pre-2006, its January 2006 electoral victory was a shock to interested observers and stakeholders in Palestinian politics, the Middle East peace process, and to Hamas itself. Hamas had transitioned from being an Islamist paramilitary organization operating outside government to a political party that had now acquired a powerful electoral mandate. Due to this sudden change in circumstance, it became clear that the responsibilities of governance would quickly become a daunting challenge to the group. As Gidi Grinstein, President of the Reut Institute, explained, Hamas had 'swallowed an elephant.'[32] In a warning, Fatah's Gaza leader Mohammad Dahlan, cautioned Hamas about the challenges it would face: 'We welcome you. It's time for you to discover the suffering of being in government.'[33]

Notably, one of the key debates that informed scepticism about Hamas's political participation and electoral success emanated from broader debates about the phenomenon of Islamists in democratic institutions and the viability of the relationship between Islamism and democracy.[34] Regarding Hamas specifically, one of the main questions was whether the group had entered democratic politics in order to bolster its military capabilities and continue to be a 'spoiler' in the peace process. In this context, and in the context of armed political organizations and political participation more generally, Hamas's political participation has been compared to that of Hezbollah. However, over time, Hamas has developed a more practical and refined political discourse that has shown a more pragmatic approach than

that of Hezbollah, who some would argue has relied on the Arab-Israeli conflict as its 'strong raison d'être.'[35]

The Middle East Quartet's reaction to Hamas's electoral success in January 2006 was that Hamas would not receive formal diplomatic acknowledgment or engagement unless it acquiesced to what became known as the three 'Quartet Principles.' First, the Quartet demanded that Hamas accept previous diplomatic agreements such as those relating to the peace process. Here, the Middle East Quartet emphasized what has become known as the 'Roadmap,' formally the 'Performance-based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Crisis,' which had been announced by the Middle East Quartet in April 2003, designed as a three-stage mechanism to produce a settlement to the Israel-Palestine conflict by 2005.[36] One criticism of this particular condition argued that if Hamas did agree to accept previous diplomatic agreements, it would 'cease to exist as an independent movement.'[37] As Hamas had campaigned largely by differentiating itself from Fatah, it was cognisant that accepting previous agreements would result in a loss of legitimacy and would ultimately be 'tantamount to political suicide.'[38]

The second precondition was 'recognition of Israel,' which was unanimously interpreted as pressure on Hamas to recognize Israel's right to exist. Certainly, Hamas interpreted the precondition in this way, with one of its leaders, Ismail Haniyeh, stating 'talk to us no more about recognising Israel's "right to exist" or ending resistance until you obtain a commitment from the Israelis to withdraw from our land and recognise our rights.'[39] The third principle was for the Palestinian Authority to renounce the use of violence.[40] If Hamas refused to acquiesce to these principles, then it was made clear that the group would be diplomatically and financially isolated by the Quartet. An investigation into Hamas's electoral success by the European Union Committee in the UK's House of Lords explained the rationale behind this precondition, explaining that, from the EU perspective, there was a 'contradiction between claiming democratic legitimacy and committing acts of violence.'[41]

As expected, Hamas immediately refused to acquiesce to these principles. For the Quartet, the challenge was how to deal with a group which utilized terrorist tactics and democratic political participation simultaneously. As expressed by Condoleezza Rice—then-United States

Secretary of State—the Quartet's position was that you 'you can't have one foot in terror and the other in politics.'[42] However, Rice did concede in her 2011 memoir that the elections had been 'free and fair, even if we didn't like the victor.'[43] It was precisely this seeming hypocrisy from the West that angered Hamas leaders, who accused the Quartet of 'cheap blackmail' in the context of no reciprocal demands being made of Israel and resentment that the Palestinian people's decision to elect Hamas had been disrespected.[44]

Hamas's reaction to these Quartet Principles was met with debates in the West about the extent to which these principles had been a sensible policy response. Alastair Crooke—Director of Conflicts Forum and a staunch advocate for engagement with Hamas—claimed that one American official had explained that 'these were not objectives that they wanted Hamas to reach; in fact these objectives were set so that they would not be reached.'[45] Reflecting this disillusionment with the Quartet Principles, the United Nations' Under Secretary-General, Alvaro de Soto, resigned in May 2007, citing (in his leaked End of Mission report) his dissatisfaction with the Quartet Principles. De Soto argued that the 'principles' had never been intended to be binding 'conditions.'[46] De Soto's assessment of Hamas's political participation was that this had been a sign of moderation and an opportunity to possibly engage with Hamas, but that this move to put strict conditions on the group had thwarted the possibility of Hamas moving towards the principles.

In many respects, the debate about engagement with Hamas addressed the question of why the group had initially decided to enter the democratic process. As mentioned earlier, some observers had argued that Hamas entered politics in order to derail the peace process and to be a 'spoiler' in future negotiations. Another equally cynical perspective suggested that Hamas had gone down the political route in order to bolster its military capabilities. The argument here was that Hamas would capitalize on the domestic legitimacy it had slowly accrued to continue bolstering its armed struggle. One example of this argument was that Hamas's social and charitable institutions were as much part of its terrorist infrastructure as its more conspicuous and controversial military wing.[47] Others argued that Hamas's political participation was a sign of 'moderation,' which in this context assumed a linear path from violence to politics. Those arguing for

engagement with Hamas on the presumption of linear progression invariably used examples from the trajectory of the Irish Republican Army (IRA). As the IRA had eventually chosen to disavow armed resistance and enter politics, it was hoped that by giving Hamas the requisite time and space needed to adjust to its new role in the Palestinian Authority, it would follow a similar path. Ultimately, the debate addressed the broader question of what is frequently termed 'talking to terrorists' and on how to address the political participation of armed non-state actors. As summarized by Mark Perry—previously Director of Conflicts Forum (a non-profit organization that advocated for engagement between political Islam and the West) and another staunch advocate of engagement with Hamas—the dilemma of engagement with armed actors is as follows: 'Are they political parties capable of political engagement? Or are they intractable and uncompromising networks bent only on exacting pain and promoting violence? Are terrorist organizations worth talking to?'[48] This quote captures the essence of the debate about the extent to which Hamas would be granted legitimacy, particularly in the West. For some observers and stakeholders, the debate about granting such legitimacy to Hamas centred around this question of 'talking to terrorists' and the moral and practical dilemmas this would, or would not, pose.

Hamas and the Arab Uprisings

Hamas's reaction to the momentous events of the 2011 Arab Spring proved to be another important period for assessing its political behavior. This final section will examine how Hamas's interactions with Egypt and Syria during the Arab Spring affected its legitimacy.

Hamas and Egypt

Hamas's relationship with Egypt before and following the former's entry into political participation was mainly characterized by degrees of isolation, despite Egypt's consistent role as a mediator in Arab-Israeli relations. The Egyptian government also had the most consistent involvement with internal Palestinian politics and mediated between Hamas and Fatah prior to the 2006 elections.[49]

The fall of the Mubarak government on 11 February 2011 was seen as one of the most defining moments of the Arab Spring. Hamas, who had

consistently championed the importance of democracy in the region and who had seen this as a chance to gain increased regional legitimacy, announced through a spokesman that it supported the will of the Egyptian people and believed that 'what happened is the beginning of the victory of the Egyptian people and their revolution.'[50] Hamas also hoped for the prospect of improved relations with Egypt, and there was a presumption that the fall of the Mubarak government would work in Hamas's favour by resulting in the removal of the blockade on the Gaza Strip. Hamas even allowed anti-Mubarak protests to take place in Gaza City in 2011.[51]

Hamas also hoped that the political wing of Egypt's Muslim Brotherhood, the Freedom and Justice Party (FJP), would soon come to power. Hamas had been encouraged by the FJP's election platform, which had stressed the importance of the Palestinian cause and made the following pledge in its foreign policy section:

> Support the Palestinian people in their legitimate struggle to restore their rights, establish their own State and liberate their land; to support their cause on the international scene; and to coordinate with countries that adopt policies in favour of Palestinian rights irrespective of their geographical locations or political orientations.[52]

Likening Hamas to the Muslim Brotherhood, which the Mubarak government often characterized as a terrorist organization, a quote in the state-controlled Egyptian newspaper *Al-Gomhuriya* said, 'The victory of Hamas and the Brotherhood at the ballot box does not mean that they are politicians and that they are capable of running the state.'[53] As the FJP won the Egyptian elections in June 2012, Hamas considered this the advent of a new wave in Middle Eastern politics, in which the FJP was paving the way for a series of Islamist governments to come to power in the region.

Hamas saw the FJP's expression of support for the Palestinian cause as an opportunity for improved relations with Egypt and increased legitimacy with the wider Arab world, the West, and its own Palestinian electorate.[54] Hamas thus believed that the FJP's electoral success would afford Hamas increased legitimacy. For example, in late 2011, Ismail Haniyeh—one of Hamas's core leaders—had met with the Egyptian Muslim Brotherhood leader Mohammed Badie, who had articulated the Brotherhood's perception

of Hamas as a role model: ‘The Brotherhood center has always embraced issues of liberation, foremost the Palestinian issue.’[55] Similarly, as the FJP was preparing to take power, Reda Fahmy, Chairman of the Arab Affairs committee in Egypt’s upper house of Parliament, explained the Brotherhood view that ‘Hamas considers the Muslim Brotherhood a strategic extension of itself.’[56]

However, despite the FJP’s articulation of its support for the Palestinian cause and the general optimism within Hamas about its future relations with Egypt, there were also Hamas members who expressed caution about the stance the FJP would take for two reasons. First, before the prospect of the FJP coming to power in Egypt manifested, some members of the Hamas leadership had pointedly asserted Hamas’s independence from the Egyptian Muslim brotherhood. In an interview with *Al Jazeera* in 2011, Khaled Meshaal discussed Hamas’s contentious relationship with the Mubarak regime, saying, ‘The Egyptians doubted us; they thought we belonged to the Muslim Brotherhood.’[57] In the same interview, Meshaal further argued: ‘We have the same roots, but we are an independent organisation, different to any other in the world. We are Hamas—a national freedom movement with an Islamic background and our aim is to free our lands and to restore our rights.’[58] In a clear indication of Hamas’s preoccupation with its legitimacy, Meshaal explained that while Hamas’s background was linked to the Muslim Brotherhood, ‘this should not lead to any confusion by some regional powers.’[59]

Second, possibly due to Hamas’s own experience of the constraints of governance and the fractious nature of its relationship with Fatah, Hamas’s deputy leader, Moussa Marzouk, warned against an overly idealistic trust of how the FJP would conduct itself once it was part of the Egyptian government. Marzouk’s instinct was that it was not entirely sensible to presume that the FJP would deviate from the Mubarak regime’s stance towards Hamas. He was quoted as saying, ‘It’s normal that the Muslim Brotherhood will be more realistic than they used to be when they weren’t in power.’[60]

Echoing Marzouk’s hesitance about unrealistic expectations, the FJP’s entrance to the Egyptian government did not provide increased security or legitimacy for Hamas. Some of the Hamas leadership had seemed to overlook the fact that the FJP government remained under the same foreign

policy constraints as the previous regime. Egypt's new president, Mohamed Morsi, was intent on securing his government's legitimacy both domestically and internationally. From the global perspective, Morsi was aware of the geo-strategic reality of Egypt's role in the Middle East, which was evidenced by his assurance to the United States Secretary of State, Hillary Clinton, that his government would honour all of Egypt's international obligations.[61]

While initially the FJP was not as supportive to Hamas as had been hoped, it did act in a more conciliatory fashion than the Mubarak government. The FJP seemed intent on aiding reconciliation between Hamas and Fatah. The FJP also aspired to be instrumental in setting the basis for the establishment of a Palestinian state. For Egyptian foreign policy more generally, this was definitely a change from the Mubarak regime, who had outwardly favoured Hamas.[62] As Reda Fahmy—an FJP member—explained, 'Now we have to deal with the Palestinian parties as an umbrella for both of them, and we have to stand at an equal distance from each.'[63] The Palestinian negotiator Saeb Erekat also acknowledged that the Muslim Brotherhood was doing all it could to end Palestinian division. Notably, the FJP also thought that Hamas would moderate its own behaviour and that it would be reluctant to engage in another violent altercation with Israel on the basis that Hamas would be cognisant that the Brotherhood in Egypt would need stability in the region as it transitioned to power.[64]

Hamas's next war with Israel in November 2012—known in Israel as Operation Pillar of Defence (OPD)—was an example of the FJP's ambiguity towards Hamas. As Hamas called on Arab states to offer support, this was described as 'testing Cairo.' Effectively, Hamas was trying to ascertain the extent to which the FJP would support its cause. The response from Egypt was ambiguous. The FJP did condemn Israeli actions in the Gaza Strip, and President Morsi also criticized Israel for compromising the region's security and stability.[65] Egypt also sent a delegation, including the prime minister, Hesham Qandil, to the Gaza Strip to demonstrate solidarity with Hamas. This was significant, as it marked the first time a delegation of this sort had been sent to the Gaza Strip. Hamas leaders also showed their appreciation for Egypt's criticism of Israel with Khaled Meshaal saying the new Egyptian government was 'taking a new course and adopting a new

vision.'[66] However, rather than completely taking Hamas's side, Egypt instead mediated a ceasefire.

Despite the FJP's role in brokering a ceasefire between Israel and Hamas and its role in the Hamas-Fatah reconciliation, President Morsi was unprepared to offer Hamas unconditional support. As Operation Pillar of Defence came to an end, Hamas's relationship with the FJP started to deteriorate. One example of this was Egyptian forces flooding Hamas's smuggling tunnels in an effort to shut them down in February 2013, and by March 2013, Egypt had moved to stop the flow of goods through the border crossing at Rafah. This enraged the Hamas leadership, with Mahmoud Zahar accusing the FJP of behaving even more poorly to Hamas than the Mubarak regime: 'The previous regime was cruel, but it never allowed Gaza to starve.'[67]

The result of the deterioration in relations between Egypt and Hamas proved unhelpful for Hamas's quest to obtain more regional legitimacy and increased support for its cause. However, the downfall of the FJP government in Egypt following a military coup in June 2013 was nonetheless a negative development for Hamas. Indeed, while some members of the Hamas leadership had overestimated the extent to which the FJP would support the group, others had underestimated the realist dimension of the FJP's foreign policy. One of the main reasons this downfall harmed Hamas was due to Hamas's decision the previous year to vacate its external bureau in Damascus. Therefore, the ouster of the FJP led some observers to opine that Hamas was now isolated.[68] Adding to this was the fact that it had not secured its electoral mandate within the Palestinian Territories, nor had it circumvented the Quartet's conditions as a prerequisite for diplomatic recognition.

Hamas and Syria

Since Hamas's 2006 electoral success, one of the most important challenges in its quest for legitimacy was the beginning of the series of Arab uprisings across the Middle East. As previously mentioned, the deterioration of Hamas's relations with Egypt hindered Hamas's quest to obtain regional support and security. However, it is important to stress the importance and consequences of Hamas's decision to vacate its Syrian base.

Hamas traditionally had an external bureau, which consisted of a cohort of Hamas leaders who were purposely based outside the Palestinian Territories to have the flexibility to raise funds for the group, travel as they saw fit, and strategize about the group's trajectory. The external bureau had been based in Damascus since 1999, and Hamas had benefited from the patronage of the Syrian government. In addition, Hamas was part of an alliance that became known as the 'axis of resistance' alongside Syria, Iran, and Hezbollah.[69] In this context, Hamas also received a significant amount of financial support from Iran. However, Hamas's place within this axis became compromised with the advent of the Syrian uprisings. When the uprisings began, Hamas had attempted to persuade President Assad to respect the democratic principles of the Syrian people and to stop the violent oppression; however Hamas was unsuccessful in this endeavour, and it was allegedly at this juncture that it decided to leave Damascus in February 2012.

There are two main reasons that Hamas decided to vacate its Syrian base, and both relate to Hamas's preoccupation with its legitimacy. The first regards Hamas's place within the predominantly Shia 'axis of resistance' as a Sunni group. As the conflict became increasingly sectarian, Hamas realized that its attempts to maintain a neutral stance in the conflict were futile and that it could not be seen to stand by and condone the Assad regime's brutality towards fellow Sunni Muslims. President Assad also pushed Hamas to make the decision to leave by saying to Khaled Meshaal, 'you are either with us or against us.'[70] Hamas's 2006 Change and Reform manifesto had even stated that in foreign relations, there was a specific refusal to engage with sectarianism or any attempts to divide the *umma*.[71]

The second reason Hamas decided to vacate Syria relates to the extent to which Hamas's perception of its own legitimacy is intertwined with its democratic inclinations. As Hamas had championed the advent of the Arab Spring and been outwardly supportive of these democratic revolutions, it knew that by appearing to condone the actions of the Assad regime, it would have been deemed utterly hypocritical. Rather than remaining silent about the Arab Spring, Hamas actually wanted to remain integral to the ethos of the various uprisings. As Ismail Haniyeh said, 'the Syrian revolution is an Arab revolution.'[72] Additionally, as Hamas had gone down

the route of political participation in 2006, it considered itself to be one of the vanguards of democracy in the region.

By vacating its Syrian base, Hamas did compromise its place within the 'axis of resistance,' particularly its relationship with Iran. Despite this, and for the reasons explained above, Hamas made a calculated decision, and it was expected that Iran would punish Hamas in terms of political support and funding. Overall, however, Hamas's decision to leave Syria demonstrated the extent of its preoccupation with its own legitimacy.

Hamas's legitimacy post-Arab Spring

Despite conjecture that Hamas had isolated itself while it reformulated relationships during the Arab Spring, this flexibility ultimately sustained the group in the longer term. Possibly as a result of the Arab Spring and the need to present a more updated version of its strategy, in May 2017, the group released 'A Document of General Principles and Policies,' which was seen by some to be a new Charter. This document outlined Hamas's stance towards Israel and reiterated some of its longstanding beliefs, such as the importance of Jerusalem as the capital of Palestine and the ongoing importance of the 'right of return' for Palestinian refugees. However, possibly the starkest example of Hamas's more balanced approach to Israel was the pointed argument that the group was not opposed to Jewish people, but rather to the 'Zionist project': 'Hamas does not wage a struggle against the Jews because they are Jewish but wages a struggle against the Zionists who occupy Palestine.'[73] While Hamas had made this point on several occasions, this was the first time it had made such a distinction between Jewish people and the State of Israel in a policy document. In this regard, Hamas was attempting to moderate its stance, cognisant of the maximalist tone of its 1988 Charter. It should be noted that this 'Guiding Principles' document did not replace the Charter, but was rather an updated communication of the group's strategy.

However, despite the more balanced tone of this 'Guiding Principles' policy document, Hamas's legitimacy within domestic Palestinian politics has arguably not changed. Hamas has maintained its role as a resistance movement and benefitted from some international condemnation of Israel's treatment towards Palestinians. One very recent example of this was the Amnesty International report entitled 'Israel's Apartheid against

Palestinians: Cruel System of Domination and Crime against Humanity,' which has received considerable attention.[74] Hamas's position as a legitimate resistance movement against Israeli occupation is arguably sustained by international condemnation of Israel's approach to human rights.

Conversely, there are two areas where Hamas's legitimacy has been weakened from an international perspective. First was Hamas's response to the Taliban takeover of Afghanistan in late 2021. In August 2021, Hamas official Moussa Abu Marzouk announced that 'The Taliban are victorious today after being accused of backwardness and terrorism. They emerge today as a smarter and more realistic movement. They confronted America and its agents and refused to compromise with them. They were not deceived by bright headlines about "democracy" and "elections."'[75] This emphasized Hamas's cynicism about the West's reaction to its political participation and the West's refusal to afford Hamas the legitimacy the group has desired. This statement also showed Hamas's frustration with Western foreign policy towards Islamist groups more broadly and its perception that the West is disingenuous in its approach to the political participation of Islamist groups.

Second, as of 26 November 2021, Hamas in its entirety (political and military) has been proscribed as a terrorist organization by the UK government. While Hamas's military wing had been proscribed as a terrorist organization since 2001, the UK government decided that, in policy terms, there should no distinction between Hamas's political and military wings, with the Home Secretary, Priti Patel, arguing that Hamas is 'fundamentally and rabidly anti-Semitic.'[76] Hamas's angry reaction stated that 'Instead of apologizing and correcting its historical sin against the Palestinian people … [Britain] supports the aggressors at the expense of the victims.'[77] While this proscription has implications for pro-Palestinian activism in the UK, it has also decreased Hamas's legitimacy from an international perspective. Furthermore, Hamas's attempt to appear more conciliatory and politically sophisticated—in the context of its 'Guiding Principles' document—has been ultimately unsuccessful.

Hamas continues to face challenges in gaining legitimacy, both within domestic Palestinian politics and from the international community. Despite Hamas's efforts to be taken seriously as a legitimate political actor, the

intransigence of the relationship between the Palestinian Authority and Israel has resulted in a stalled peace process that has limited Hamas's ability to prove itself as an effective political actor outside the bounds of domestic Palestinian politics. Coupled with continued Western disillusionment with Hamas—as evidenced by the UK's decision to proscribe its political wing as a terrorist organization—gaining legitimacy across a broader spectrum of institutions and actors remains one of Hamas's biggest challenges.

6

IDEOLOGICAL ADAPTATIONS IN THE TALIBAN'S SHADOW STATE, 2006–2020

Ashley Jackson

After their sweeping and sudden takeover of Afghanistan in mid-2021, the Taliban suddenly found themselves in charge of a country on the verge of collapse as Western countries cut off foreign reserves, froze bank accounts, and halted aid. Amid the economic and humanitarian crisis, the Taliban have been plagued by infighting and the growing threat posed by a resurgent Islamic State Khorosan (IS-K). Instead of establishing the 'truly Islamic state' they have long promised, Afghanistan's new rulers are instead consumed by internal disunity, a fiscal implosion, and the prospect of millions suffering from hunger.

Few governments could survive such dire circumstances, and it remains to be seen whether the Taliban will find a way to overcome these formidable challenges. The Taliban, however, have proven they are nothing if not resilient. This chapter looks at the Taliban's ideological adaptability and evolution prior to the 2021 takeover, seen through the development of their shadow governance structures. While commonly thought of as a hard-line movement deeply resistant to change, the Taliban as an insurgency showed remarkable ideological dexterity when considering its approach to governance. This is not to suggest that they are 'more moderate' than in the

1990s, but to underscore that they are pragmatic. They shift policies and positions when they believe doing so is required to achieve their objectives. Now that the Taliban control Afghanistan, understanding how political and military imperatives have influenced their norms and behaviour is vitally important.

In examining the evolution of Taliban shadow governance, this chapter explores the complicated relationship between ideological boundaries and norms on one hand, and political and military imperatives on the other. It begins by tracing how the Taliban's ideology shifted from its origins as a movement in the 1990s through its post-2001 resurrection as an insurgency, and its transformation into a presumptive government-in-waiting by 2020. It examines three particular aspects of their shadow state: justice, education, and taxation. The Taliban's specific brand of Islamist ideology undoubtedly shaped the parameters and substance of the governance it sought to enact, but always in service of (and constrained by) its battlefield objectives and long-term political goals.

Understanding Taliban ideology

The roots of the Taliban's ideology can be located in the cultural norms and beliefs prevalent in the southern Afghan Pashtun villages where most of the early Taliban leaders were born and educated. The Taliban's initial notions of Islam were rooted in local customs and practices as well as in Sufism and Deobandism—the former of which is a more mystical, aesthetic form of Islam, whilst the latter is literalist, having emerged after the failed Indian mutiny of 1857. Yet the notion of jihad—particularly in the Taliban's conception of jihad as a battle against sin and in defence of Islam—was foundational. The Taliban emerged to restore order and Islamic purity amid the chaos of the civil war that followed the Soviet withdrawal in 1989 and the collapse of the communist government. Violence and banditry became commonplace, as various mujahideen factions battled one another and preyed on civilians. Rape was commonly used as both a weapon against civilians and a means of rewarding fighters.[1] Many of the original Taliban leaders had fought in various mujahideen factions, but had returned to quiet lives after Soviet forces withdrew. As they watched the horror of the civil war unfold around them, however, they felt they had no choice but to take up arms. During a radio broadcast shortly after the Taliban's founding in

1994, Mullah Omar described how he conferred with those gathered at the local mosque for a religious study session. He called for action, recounting how the mujahideen 'steal the people's money, they attack their honour on the main street, they kill people and put them against the rocks on the side of the road, and the cars pass by and see the dead body on the side of the road, and no one dares to bury him in the earth.'[2]

This small group of religious students and ex-combatants originally had a simple goal: disband the mujahideen checkpoints terrorizing the population in and around the southern city of Kandahar. Eliminating checkpoint after checkpoint, Taliban leaders recount finding the corpses of naked women and liberating civilians being tortured and held against their will.[3] In the stories the Taliban tell about themselves, the campaign against the checkpoints fuelled popular support and created the momentum that carried the Taliban through much of the rest of the country and into power.

In these early years, the Taliban insisted it only sought to restore order and security through the construction of a 'pure' Islamic society. As Gopal and Strick van Linschoten argue in their foundational work on the subject, Taliban ideology at this point was perhaps not yet coherently articulated, but nonetheless 'deeply tied to notions of honour, virtue and oppressive power.'[4] While they were, in their own minds, cleansing Afghan society, they were also in fact redefining and privileging a much more rigid and unyielding version of Islam, morality, and social order than most Afghans —particularly those in urban areas and in rural areas beyond the Taliban's southern base—would have been familiar with.

The Taliban's heavy emphasis on exteriority—that belief was exhibited (and monitored) through observed action—meant that compliance was deeply performative, and disobedience was harshly, and often publicly, disciplined. Compulsory mosque attendance, regulation of beard length, the punishment of women not wearing burqas, and the destruction of televisions, among other acts, were manifestations of this. While this may not have changed life much in rural Pashtun communities in the south, these new Taliban rules—and their brutal enforcement—were anathema to many of those living in cities and elsewhere. This, and other factors, contributed to the Taliban's widespread unpopularity. By 2001, the Taliban was rapidly losing control of a population too diverse to be accommodated in the Taliban's narrow set of values.

At the same time, the Taliban showed some signs of beginning to mature and adapt as a political movement. As Gopal and Strick van Linschoten argue, many within the movement knew that popular discontent meant trouble prior to 9/11 and started edging Taliban rhetoric and positions towards something more resembling Islamic nationalism. After the Taliban's fall from power in 2001, this shift became markedly more pronounced. As an insurgency movement, the Taliban's ideology had to accommodate radically changed circumstances and rationalize the new war they sought to wage. Furthermore, as the Taliban continued to mature politically, gain territory, and confront anew the challenges of governing, its use of ideology—and the content of that ideology—evolved.

One notable change was that the movement began to more clearly employ its ideology in service of its objectives—and not the other way around. In the 1990s, religious opinion deeply influenced policy. The Taliban were more concerned about how religious scholars would view their decisions and policies; many of their edicts consequently reflected what they 'believed to be the model of the early *umma* surrounding Prophet Mohammad' and 'aimed to transform society as a whole.'[5] That statement does not hold true today. The overwhelming focus in the media and various analyses on the Taliban fundamentalism or zealotry tends to obscure the fact that it is, like most insurgent ideologies, practical and instrumental.[6] It has focused on three core elements—custom, compliance, and control—to achieve its political and military objectives. Pragmatism and ideological agility have enabled the Taliban to adapt its approach across the country to better exert control and elicit compliance from civilians. This was, however, a gradual evolution. To understand how it unfolded, one has to return to 2001.

Taliban resurrection

After the US-led invasion of Afghanistan in October 2001, much of the Taliban leadership fled across the border into Pakistan. This period was chaotic, but various contingents of the old leadership slowly began to regroup and coalesce into an insurgency, with small teams of Taliban travelling back into south-eastern and southern Afghanistan to recruit and gather intelligence. Gradually, they cultivated enough local acceptance to allow them safe havens from which to attack nearby pro-government forces.

There was little discernible strategy in these early years, let alone much concrete ideological development. One member of the Taliban leadership at the time described the early disarray, noting that various segments of the movement (such as it was at this point) couldn't easily communicate with one another or meet in person.[7]

In retrospect, 2006 was a tipping point. Improvised explosive devices (IEDs) would become the central pillar of the Taliban's military strategy, allowing them to inflict considerable harm on pro-government forces. The more the Taliban launched attacks, the more the pro-government troops would retaliate. Civilians were increasingly caught between the two sides, and they disproportionately blamed the government for harm done.[8] The Taliban capitalized on this and used civilian casualties caused by pro-government forces to drive a wedge between the people and the nascent Afghan government.

The Taliban's core goal was no longer to restore Islamic purity, but to drive out foreign occupiers and ostensibly win the support of Afghans. Core narratives developed around this, underpinning what would later become familiar themes in post-2001 Taliban ideology. In depicting the harm caused by pro-government airstrikes and raids, the Taliban drew on cultural notions of shame caused by humiliation without retaliation. They invoked historical traumas, for example, by comparing pro-government actions to the widespread bombings of the countryside during the Soviet occupation.[9] By depicting the war as one of self-defence against foreign occupation, they invoked Pashtun, and broader Afghan, notions of honour. They integrated these into their evolving vision of Afghan nationalism, painting Afghans as brave warriors with a history of resisting foreign invaders, from Alexander the Great to the British.

Increasing violence and widespread corruption overtly challenged the illusion of narratives around post-Taliban progress and state-building. The Afghan state, insofar as it existed outside the capital, was reliant on a patchwork of warlord alliances to cultivate the appearance of control. These powerbrokers preyed on the population and committed widespread abuses against civilians, all whilst enjoying protection from international forces and the government.[10] Civilians became increasingly disillusioned and frustrated. The Taliban exploited these grievances and offered people an opportunity to fight back. The Taliban portrayed themselves as underdogs

not only fighting to defend Islam and restore the dignity of the Afghan people, but also fighting against the false promise of a Western-imposed democracy and the moral corruption presumed to be associated with it. However, that would not be enough. The Taliban would have to present a viable alternative to the incumbent government.

Building a shadow state from the ruins of the Emirate

The first insight into the Taliban's revised ideology and objectives was the 2006 release of its code of conduct, or *layha*.[11] Updated and expanded in 2009, and again in 2010, the *layha* was for many years the Taliban's central guiding policy document for the movement (akin to a de facto charter). It was distributed to fighters in neatly bound booklets and used in training. The initial goal of the *layha* was practical: to impose ground rules on Taliban fighters and crack down on counterproductive and un-Islamic behaviours that were increasingly problematic in some areas of the country (i.e., stealing, extortion). The 2006 *layha* focused on elaborating thirty simple operational rules, grounded in a familiar (if only vaguely articulated) framework of Islamic obligations and prohibitions. Subtitled 'A Jihadi Code of Conduct,' the preamble of the *layha* explains that not only is the Taliban's jihad 'a great worship and great obligation,' but that it can only be achieved if the 'appointed principles' are followed.[12] These rules ranged from the prohibition of smoking cigarettes and stealing from civilians to outlining who could be killed, under what circumstances, and why.

The Taliban also started to build more concrete organizational structures on the ground. One of the first signs was the presence of shadow provincial governors, responsible for provincial military strategy but ostensibly also civilian matters. Versions of the *layha* released in 2009 and 2010 went further, expanding the operational rules for fighters but also elaborating on structures of governance and a framework of rules imposed on civilian life. Both the 2009 and 2010 versions of the *layha*, for example, allude to Taliban commissions (the equivalent of Taliban ministries) for education, NGOs, and private companies.[13] Evidence of these structures functioning on the ground was scant until after 2014, but the *layha* nonetheless served to elaborate on the movement's vision for the future.[14]

It is important to emphasize that this was a gradual evolution and that the imposition of hierarchical control was uneven in the early years. Furthermore, it was only *after* the military side became more cohesive and *after* 2014, when the Taliban gained significant territorial influence, that they turned their attention to building a shadow state. Mullah Akhtar Mansour—who effectively ran the movement for years and officially became the Taliban's emir after Mullah Omar's death was announced in 2015—is widely credited with the key shifts that followed.[15] Many of the changes Mansour would enact were structural; a clear civilian wing, albeit subordinate to the military, would emerge.

The gradual nature of the Taliban's evolution allowed the movement time to refine its ideas about the kind of governance it wanted to enact. Unlike in the 1990s, the post-2001 Taliban now had a better sense of the very real limits on what types of policies would be tolerated by civilians and what would further their ability to elicit civilian compliance. To truly transform itself into a credible alternative to the incumbent government, Mansour and other leaders knew that the movement would need to reconsider some core policies—and this would require ideological flexibility. In seeking to understand how ideology bounded the development of Taliban governance (and, conversely, how pragmatic exigencies shaped Taliban ideology), we will examine how this played out in three specific areas of the Taliban shadow state: justice, education, and taxation.

Taliban courts

By far the earliest component of governance that emerged was justice, with Taliban judges (re-)appearing around 2006 or 2007, primarily in the south and east of Afghanistan.[16] While the Taliban sharia courts became infamous in the 1990s, the Taliban courts of today are significantly different.[17] As argued above, post-2001 efforts to build a functional state justice system badly faltered, for a variety of reasons. Government courts were seen as deeply corrupt and slow, potentially taking years to rule on a case.[18] The parties could consequently end up paying ever-increasing bribes to influence a perennially delayed outcome. Some have argued that part of the problem was that the post-2001 legal system was too Western-inspired and divorced from Afghan traditions of dispute.[19]

Thus, the post-2001 Taliban courts were valued because of the sharp contrast they provided to the state system. Taliban judges were easily accessible, and their court procedures were simple and familiar. Taliban judges typically settled disputes faster than the state, and corruption was seen as considerably lower. Many of the cases were civil in nature, and Hanafi jurisprudence—one of the four traditional schools of Sunni jurisprudence that is widely followed in South and Central Asia—was relatively straightforward on many of the most common issues brought before the Taliban courts (i.e., inheritance, property, debt). In the absence of a functional state justice system, violent conflicts over land and resource disputes had spread, dragging on for years or decades without resolution.[20] Particularly in mediating land and resource disputes, the Taliban were seen as responding to needs that the government failed to address.

Supply, rather than demand, was a persistent problem in the early years of the courts. Early Taliban advances were set back by the US-led military surge that began in late 2009 and the targeted killings of mid-level Taliban commanders and Taliban judges.[21] After the dramatic decrease in international troop levels by 2014, the Taliban had more space and resources to build a functional sharia court system. Ultimately, the system comprised three layers: primary courts at the district level, appeals court at the provincial level, and a supreme court in Pakistan. The Taliban established courts in areas where they had consolidated control and worked to expand the reach of the courts into contested and government-controlled areas, which spread into the outskirts of the capital of Kabul by early 2020. The spread of the courts was rapid after 2014—and helped along by extensive coercion. The Taliban explicitly threatened or attacked people who took their cases to state courts and coerced customary authorities (traditional arbiters of dispute resolution) into subordinating their practices to Taliban systems.

While often portrayed as above politics and exclusively guided by Islam, Taliban justice is in fact inherently political and influenced by local norms. The Taliban have had to carefully balance their reputation of Islamic purism and incorruptibility on the one hand, while avoiding the alienation of key constituents on the other.[22] There were two main areas of political sensitivity where the Taliban's judicial ideology had to be reconciled with its military imperatives. The first was the realm of major land disputes that involved influential individuals, or were between tribes and communities.

These were rarely settled quickly; they often went through multiple appeals, moving through the primary courts, up to the provincial courts, and at times to the Taliban's supreme court in Pakistan. Some were not settled by the courts at all, with delegations of Taliban notables dispatched to mediate between the parties. Even in cases where an outcome appeared to be relatively clear according to sharia, the Taliban might defer judgement when it risked alienating the losing side or otherwise creating an unmanageable political rift. This helps explain why some long-running land disputes persisted even in Taliban strongholds. One example is the chronic, recurring land dispute between the Alizai and Ishaqzai tribes in northern Helmand.[23] The Taliban's control in these areas may have been all but undisputed, but they could not afford to definitively decide in favour of one side or another (lest it risk alienating a large portion of the civilian population). Instead, they pursued a process of dialogue and continually encouraged political compromises (such as partial land redistribution). Nonetheless, violence between the two tribes occasionally flared up, and there seemed to be little the Taliban felt they could do to resolve the issue with any finality.

The second area was family disputes. Hanafi jurisprudence extends certain protections and obligations that, in some circumstances, benefit women more than local norms and even state practices. Women, at least in some communities, were granted divorces by the Taliban more easily than they might otherwise have been through government courts or customary mechanisms.[24] The reasons for divorce are usually clear-cut in Hanafi frameworks (i.e., the women had not consented to the marriage, they were mistreated, the husband did not fulfil his obligations, etc.) and were thus straightforward for the Taliban courts to decide upon. In many cases where women requested divorces in Taliban courts, however, the Taliban deferred to customary authorities to mediate a solution. They seemingly did this for fear of upsetting the community, not wanting to be seen as interfering in the matters of other men and the domestic sphere. In justifying such practices in both land and family or domestic disputes, one might argue that the Taliban were acting in the spirit of sharia to restore or maintain community harmony. But they were also undoubtedly acting in their own political and security interests. While not always the case, the normative power of the courts was mediated by political concerns in at least some instances.

Co-opting state education services

The key shift the Taliban would make when it came to schools was to move from a position of prohibition to acceptance, and later to co-option of schools. Official Taliban policy, outlined in the 2006 *layha*, sanctioned threats and violence toward state teachers and on NGOs, both of which were portrayed as tools of the foreign occupation.[25] Attacks on schools, clinics, aid projects, and aid workers disrupted access to services and drove NGOs out of areas of Taliban activity which, in turn, alienated civilians.[26] Many civilians lobbied the Taliban to change their approach. Furthermore, there was an already intense debate within the Taliban leadership about these policies and significant variation in views among Taliban on the ground.

The main factors driving this debate appeared to be civilian preferences and traditions, as well as micro-level dynamics between civilians and insurgents.[27] To gain civilian compliance in most locales, the Taliban needed to acquiesce to some civilian demands. In much of the south, the Taliban faced little meaningful resistance when they attacked schools and threatened teachers. In much of the southeast of the country, however, communities successfully pressured the Taliban into allowing schools (at least for boys) to operate. Further, Taliban in parts of northern Kunduz, sensing it would win them greater local support among parents frustrated with corruption in state schools, were punishing children and their parents for *not* attending school and compelling absentee teachers to show up for work.[28]

In later editions of the *layha* in 2009 and 2010, provisions recommending attacks on teachers, schools, and NGOs were replaced by stipulations compelling adherence to the ‘policies’ of the Islamic Emirate, including in the domain of education. These vaguely alluded to policies may or may not have even existed at the time and are still not public as of this writing a decade later. The key point was a shift from prohibition to tacit encouragement. Some attacks on schools certainly still took place, but in broader terms, the Taliban engaged in an official ideological reordering brought about by military and political necessity. The majority of Afghans wanted education, and attacking schools, teachers, and students did little to help the Taliban gain ground. Acceptance of education (even if it was primarily delivered by the government) was instrumental to pacifying

civilians. If the public was satisfied, they would theoretically be less likely to betray or act against Taliban rule.

These policies also had to be reordered at the village level, primarily via religious officials. The Taliban had a complicated relationship with religious scholars, both co-opting and elevating them, but often doing so coercively. Religious figures who have opposed or been critical of the Taliban in the past have been harassed, threatened, and executed.[29] The Taliban used these figures to endorse and legitimize their policies.[30] They 'lobbied' religious scholars for approval or condemnation of specific behaviours to suit their political and military objectives. This became complicated when Taliban positions shifted, but these figures typically had little choice but to comply.

There was another critical policy shift after 2014; the Taliban began systematically co-opting government schools. Aid and services were, with the decline of counterinsurgency, no longer seen as a weapon against them. Moreover, they saw an opportunity to exploit state education provision. Shadow education officials emerged to monitor and regulate state schools. These shadow governance structures mimicked those of the Afghan government, which enabled the Taliban to co-opt state service provision more easily. Civilian structures allowed the Taliban to enact more ideological control by imposing more uniform policies. For example, education monitors in each school, appointed by the overarching education commission and acting according to that commission's policies, helped enforce some degree of consistency.[31] Yet this was a gradual and uneven process, weighed against the Taliban need to respond to local preferences.

As with justice, the Taliban capitalized on the fact that state schools suffered high levels of corruption and dysfunction (for example, teachers were often absent or late, textbooks were sold rather than distributed) and the fact that state-provided education was mostly top-down with little community input. When it came to service delivery, the Taliban's approach was parasitic; it fed off of the incumbent state, seeking to correct its shortcomings (i.e., absenteeism, cronyism, corruption, and lack of Islamic rigour) and took credit for 'improved' public goods provision. Taliban education officials ensured teachers were showing up and complying with Taliban rules, that 'un-Islamic' material was excised from the curriculum,

that students wore ‘traditional’ dress rather than ‘modern’ school uniforms, and so on.

Alongside this, the Taliban’s overall stance on education continued to evolve. Education guidance documents circulating inside the movement portrayed a more balanced vision on education, noting the importance of science and maths and vaguely permitting female education.[32] Policy documents encouraged education—specifically Islamic education—for girls before puberty. For those who were older, the policy read ‘when the ground is prepared, the Islamic Emirate, in the light of a procedure in line with Islamic principles, Hanafi jurisprudence and Islamic Emirate’s perspectives on education, shall take action to provide women with Islamic and other required sound studies.’[33] In practice, this left the door open to secondary education for girls where communities demanded it and Taliban commanders did not oppose it. Indeed, this was reflected in the Taliban’s stance in the months after they took power; girls’ secondary schools gradually reopened in several provinces where they had a long history, but stayed closed elsewhere.[34] The Taliban, of course, later reversed its stance and banned secondary education for all girls. Where schools stayed open in defiance of the ban, there was usually an established precedent for female education and a strong community desire for girls to go to school.

The prospect of peace talks also spurred the Taliban to make more open, if hazy, statements around education. At the 2018 Moscow conference, for example, the Taliban declared that ‘Islam has given women all fundamental rights, such as business and ownership, inheritance, education, work, choosing one’s husband, security, health, and right to good life.’[35] Directives circulated among the movement’s education officials emphasized madrassas and religious education in general, but the focus of Taliban guidance remained on the practicalities of co-opting and controlling state schools. For example, they left much of the state curriculum intact (presumably because they did not have the means to produce their own texts). Still, they nonetheless instructed education officials to remove *haram* pictures (i.e., of female police) and to replace ‘offensive’ subjects (i.e., civic education, content on democracy) with Islamic education.

When the Taliban spokesman was asked in 2018 about the seeming contradiction of co-opting the schools run by the incumbent government, for which the majority of the funding was American, he responded, ‘this is

about meeting people's needs. It's not a part of the war.'[36] This was, of course, not just about 'meeting people's needs'—it was also about exerting greater ideological and practical control. Schools were fertile grounds for recruitment and used to shape the next generations' beliefs, behaviours, and perceptions. This is part of the reason the Taliban insisted on heavily vetting teachers before they were hired. Schools were also used for policing boundaries and gathering intelligence. The Taliban regularly enlisted male students as informants.[37] Their teachers and fellow students knew they were being watched and tended to behave accordingly. One teacher said of his Taliban students, 'they do not do well, but you cannot fail them because the Taliban will call you up and say "he has some family problems, he is a good boy …" This is not true, he is fighting at night and that is why he is failing, but there is nothing you can do.'[38]

The Taliban played on civilian desires and hopes by showing that it intended to improve the quality of rural education—even if its primary method of doing so was terrifying teachers into showing up. However, this meant that civilians could—and did—try to influence the provision of those services. Civilians first advocated for education to be allowed and protected, and they continually engaged with the Taliban on education. The government service ministries and NGOs could not operate without the insurgency's express permission, so many agreed to Taliban conditions as the only way to enable them to continue working—but they did so through a process of negotiation. Local preferences for things like English classes or female education influenced the way Taliban rules were implemented on the ground. If the Taliban were to effectively use service provision as an incentive for civilian compliance, they needed to cultivate the appearance of meeting civilian needs and demands—and this meant softening some angles of the group's overarching ideology.

Taxation

As part of a broader set of rules regulating economic and social activity, the Taliban developed a far-reaching and complex system of taxation. To be clear, Taliban taxation was not ad hoc extortion. Arguably, the Taliban collected revenue just as, if not more, systematically and routinely than the incumbent government. Unlike education, this system was structurally different from the government tax collection system. The Taliban system

was, at least superficially, framed in Islamic principles and ideals. To be sure, revenue concerns drove Taliban taxation processes—but these were bounded and justified in line with ideological constraints.

The most common forms of Taliban tax that ordinary Afghans encountered were *zakat* and *ushr*. *Zakat* refers to the religious obligation on Muslims to donate 2.5 percent of their disposable income to the poor. Yet the Taliban co-opted and adapted this concept to their needs. Sometimes it appeared as a charitable contribution made on an annual basis; other times it was applied to specific industries, like the livestock trade, more like a tax. The collection of *zakat* was variable and at times perceived by many civilians as both arbitrary and compulsory. By contrast, the collection of *ushr* was more consistent. *Ushr* is a tax of one-tenth of whatever produce or harvest is being brought to market, collected in kind or in cash.

It is not clear precisely when systematic *zakat* or *ushr* collection began, but it has long been standard practice and was widely applied.[39] According to both Taliban officials and civilians interviewed across the country, taxes on private businesses were variable but often referred to as *ushr*.[40] The Taliban typically charged a 10 percent tax on construction companies building infrastructure, and consequences for failure to pay were dire. In the eastern province of Kunar, the Taliban demanded that a company building wells hand over a whopping 20 percent of the budget; when the foreman refused, the Taliban attached a magnetic IED to his car. They set a registration fee for NGOs delivering aid at 10 percent of the project budget. One NGO working in Helmand refused to pay the requisite taxes and, after several threatening letters and phone calls, decided to stop work entirely for fear of being attacked. The Taliban also set up a relatively sophisticated customs collection racket, charging a tax on goods at all border crossings, on the transport of produce to market, on poppy harvests, on minerals transported from mines, and almost anything else one could think of. They also taxed the transit of goods—a duties list on Taliban letterhead circulated in 2018 outlined fees for the transport of everything from perfume and cigarettes to marble and motor oil (see Table 1).

Table 1: Listed fees for the transfer of goods (adapted from Taliban duties list)

	Type	*Quantity*	*Total*

1	Spare parts (machine)	Per truck	45,000/AFN
2	Medicine	Per truck	45,000/AFN
3	Spare parts (car)	Per truck	35,000/AFN
4	Steel bar (construction grid)	Per truck	35,000/AFN
5	Waterproofing (construction)	Per truck	35,000/AFN
6	Gas	Per big tanker	35,000/AFN
7	Gasoline	Per big tanker	35,000/AFN
8	Dishes	Per truck	35,000/AFN
9	Motor oil (car)	Per truck	35,000/AFN
10	Battery	Per truck	35,000/AFN
11	Carpet	Per truck	35,000/AFN
12	Black pepper	Per truck	35,000/AFN
13	Perfume	Per truck	35,000/AFN
14	Bicycles	Per truck	35,000/AFN
15	Mobile, chargers	Per truck	35,000/AFN
16	Mobile phones/chargers	Per truck	35,000/AFN
17	Blanket	Per truck	35,000/AFN
18	Tires	Per truck	35,000/AFN
19	Electric organize tools	Per truck	35,000/AFN
20	Jewellery (without precious stones)	Per truck	35,000/AFN
21	Dried fruit	Per truck	35,000/AFN
22	Watches/clocks	Per truck	35,000/AFN
23	Food stuff	Per truck	35,000/AFN
24	Refrigerator	Per truck	35,000/AFN
25	Clothes	Per truck	35,000/AFN
26	Tea	Per truck	35,000/AFN
27	Cigarettes	Per truck	35,000/AFN
28	Marble	Per truck	33,000/AFN

29	Washing powder	Per truck	33,000/AFN
30	Car lights (arrow lights)	Per truck	33,000/AFN
31	Unbreakable dishes	Per truck	33,000/AFN
32	Ceramic tiles	Per truck	30,000/AFN
33	Plastic materials	Per truck	25,000/AFN
34	Raw materials	Per truck	25,000/AFN
35	Plastic	Per truck	25,000/AFN
36	Hydraulic (oil)	Per truck	25,000/AFN
37	Paper/cartons	Per truck	25,000/AFN

Furthermore, by 2018, taxation extended far beyond areas the Taliban could be said to control and well into government territory. In district centres ostensibly under government control in the western province of Herat and the northern province of Kunduz, shopkeepers said they regularly paid tax to the Taliban.[41] It appears that the Taliban tried to tax any business generating profits, even in provincial capitals under government control. Reports even emerged in Ghazni that the Taliban were demanding $2,000 in taxes from private media company owners, who feared that they and their staff would be endangered if they refused to pay.[42] Like the courts, Taliban taxation was a means of exerting influence and laying the groundwork for further interference into people's lives. Through this strategy of creeping control, the Taliban were using governance not only as a means of consolidating control, but also of infiltration and expanding their influence.

There is a curious contradiction in all of this. Islam, broadly speaking, does not permit the taxation of income, although it allows taxes on wealth. Yet the Taliban, via *ushr*, seemingly taxes income. The Taliban's interpretation of *zakat* similarly strains the bounds of credibility. '*Zakat* is what I give to the poor out of my pocket, to needy people because that is what we must do for Islam,' one teacher explained. 'The Taliban's *zakat* is not about Islam, giving money to them is what I have to do to get them not to bother me.'[43] Nonetheless, the Taliban's Islamic framing has been essential in that it implies mechanisms of behavioural control. *Zakat*, for example, is one of the five pillars of Islam and is a mandatory practice for believers. *Zakat* payment is therefore not only about obeying the Taliban,

but also about being a good Muslim. Like justice and education, the ideological framing of taxation reinforced a means of control for the Taliban.

As with other sectors, there was a hierarchical tax collection and revenue generation structure (i.e., various commissions and rules, local and provincial tax collection officials and mechanisms). In most of the country, taxes were predictable, extensive, and almost impossible to avoid entirely. There was some local variability in how taxes were levied, but this was mainly about pragmatism and capacity (i.e., annually versus monthly, fixed rates versus payment by type of good). The Taliban collected the money in cash, in kind, and via hawala transfers to Pakistan, in which money is paid to an agent, who then directs another agent in a certain locale to pay the final recipient. If someone refused to pay, they could expect their goods to be impounded, threats to be levied, and a potential beating. The Taliban issued receipts to those who paid, which meant that taxpayers could avoid double payment by showing documentation of prior payment.

While the Taliban were clearly interested in collecting revenue, Taliban taxation was also performative and linked to legitimacy. Taxes are perhaps the most obvious way in which insurgents 'perform' governance and act like a state. Levying taxes is coercive, but paying them enables the taxpayer to access incentives. Taxes imply a social contract in which payment to authority is exchanged for protection and security. It doesn't always work that way in practice, but it creates the grounds for a civilian argument that taxes obligate the tax collector to provide something. The payment is coerced, but the exchange is deeply symbolic.

To be tolerated by civilians, Taliban taxes only had to be more orderly and less onerous than taxes and extortion levied by the government and pro-government actors. When they faced resistance to taxes from individuals, NGOs, and private companies, the Taliban often argued that they provided security in return. Coercion was always in the background, but it was this state-like function that framed the Taliban arguments on taxation. Civilians engaged with this logic and often sought to negotiate.[44] Mansfield documents, for example, how the Taliban often relented or reduced its demands where it encountered organized or steadfast resistance from farmers and others.[45] As with justice and education, ideological concerns had to be balanced with the need for civilian compliance.

Conclusion

As an insurgency, the Taliban's ideological adaptations were almost as important as its military adaptations. This chapter has argued that these adjustments were essential to consolidating and expanding Taliban control. Furthermore, the Taliban did this whilst largely maintaining an image of Islamic purity among their followers. This strategy proved to be a winning one, enabling them to outlast the US military presence and retake Afghanistan.

But if the Taliban's rise to power provides a lesson, it is to underscore that the transition between shadow state and formal government is fraught with peril. As the Taliban swept through Afghanistan's north and began encircling its major cities in the spring and summer of 2021, its strategy was already beginning to show signs of strain. Spread ever thinner, its insurgent governance structures could not keep up with the Taliban's sudden uptick in pace of expansion.

The Taliban, like many insurgencies, tended to co-opt what already existed and reshape it to their own ends (i.e., capturing foreign aid and state services, bending the concepts of *ushr* and *zakat* to justify extracting revenue from civilians). Once they gained control of the country, the Taliban found themselves dealing with radically different circumstances. They had no means to pay civil servant salaries, previously funded by the international community and they were deprived of most of their tax revenue as borders were shut, banks ran out of cash, and the country teetered on the brink of fiscal collapse. Perhaps most importantly, the Taliban no longer had a common enemy to unite against.

What is remarkable is that the Taliban have shown profound naivete and a lack of preparedness for the consequences of their victory. This is not surprising; they have made many strategic miscalculations throughout history (the most grievous being the failure to believe the US would invade after 9/11). They have survived these catastrophes by shapeshifting and rebuilding. The question now is whether the Taliban will once again be able to adapt ideologically, politically, and structurally to the challenges ahead.

7

MONETARY ECONOMICS, ILLICIT ECONOMIES, AND LEGITIMATION

THE CASE OF ISLAMIC STATE

Ayse Lokmanoglu and Alexandra Phelan

In 2014, the Islamic State of Iraq and Syria (ISIS), a Salafi-jihadist insurgent group occupying Iraqi lands to build its global caliphate, began publishing and distributing its official magazines on social media. In their official publication *Dabiq* (edition 5) in October 2014, they introduced 'The Currency of the Khilaf,' their official currency.[1] At face value, presenting a currency may not seem important. Yet ISIS's attempt to mint its own currency, with a sharp difference from the valuation of the current global currencies, was their way of attempting to reject the existing financial system and develop their legitimacy of proto-state governance, while simultaneously delegitimizing Western monetary systems. Their new currency physically and rhetorically rejected Western capitalism and called for a return to the Islamic financial system of 8th century Islamic Caliphates of Umayyad and Abbasid, marked with territorial expansion, cultural domination, and financial abundance.[2]

Minting currencies and entering the international market is not an easy feat, which is why most insurgents are motivated to adopt incumbent states' currencies in their governance projects. For example, the Sudan People's

Liberation Movement (SPLM/A) did in fact mint banknotes, but they had no valuation and never went into circulation.[3] In its propaganda material, ISIS advocated for a complete adoption of Islamic financial systems along with a full rejection of Western monetary systems. From the initial onset of its media campaigns, ISIS criticized international financial systems and the Iraqi and Syrian currencies, in turn introducing its own currency consisting of 'gold dīnār, silver dirham, and copper.'[4] How can we understand a non-state actor's claim to economic sovereignty in areas of governance? Why would ISIS, who illegitimately controlled territory of recognized sovereign states (Iraq and Syria), attempt to mint a new currency without guarantee of its circulation—including within a global exchange market? What does the attempted creation of economic structures mean for ISIS's legitimacy?

Economic practices and governance activities play a key role in attempting to validate non-state actor sovereignty, both at the domestic and international levels, despite often fluid and non-permanent territorial control. A video published by ISIS in 2015 attributes the grievances and problems of Islamic populations to the destructiveness and corruptness of Western capitalism, especially the currencies imposed and controlled by Western nations.[5] The possibility of completely new monetary tools outside of the acknowledged system ascertains the importance of ISIS introducing their currency as soon as they began expanding their territory and continuing to publicize their new monetary economic system in their propaganda. It's also their way of legitimizing themselves to those under their occupation.

There is an under-examination of how non-state actors promote their economic sovereignty outside the realm of traditional norms like statehood, especially their performative capabilities to the global constituency. The critical juncture emerges when non-state actors reject the international monetary system by establishing nascent institutions and monetary economics directly tied to their own unique proto-state in an attempt to solidify both sovereignty and legitimacy. This is particularly important for the case of ISIS as discussed in this chapter.

Adopting the theoretical framework of 'eudaemonic legitimation'—which involves appeals to economic performance and effectiveness as a legitimation strategy—this chapter showcases how ISIS emphasized Islamist monetary economics in their rhetoric and propaganda as one way to

legitimize their governance. ISIS used vehicles of traditional monetary economics (coins, markets, and paper money) and unconventional, illicit economic activities pursued through oil, human trafficking, and kidnapping/coercion, to manipulate Islamic finance and legitimize the caliphate, while accumulating wealth—the opposite of Islamic financing. What is unique with ISIS is that the organization used these methods as attempts to demonstrate the its performance and effectiveness as a path to legitimation. Furthermore, these economic appeals were not only attempts to mobilize popular support, but also to assert the portrayal of sovereignty to an international audience.

Using ISIS as a case study, this chapter seeks to understand the ways in which insurgent groups can integrate monetary economics and illicit activities. Insurgents seek to justify activities in the context of 'legitimate' governance by demonstrating economic performance and effectiveness. The act of claiming legitimacy through rhetoric and discourse does not necessitate its acceptance, let alone recognition of the non-state actor's 'sovereignty.' However, to the best of our knowledge, what is unique in the case of ISIS is its combination of two facets of its economic practices. The first is ISIS's rhetoric and instrumentalization used to justify economic performance and effective governance as a sovereign, proto-state while deriving revenue from illicit economies. The second is ISIS's adoption of traditional monetary economics. While most insurgencies accumulate and protect wealth based on integrating illicit activities (such as drug trafficking, human trafficking, illegal mining etc.), ISIS also adopted and attempted to regulate traditional monetary economics through markets, coinage, and the rejection of 'Western influenced' banknotes in an attempt to seek legitimacy and demonstrate economic self-sufficiency. In an effort to exhibit organizational performance and effectiveness, ISIS manipulated Islamic finance in their communications to legitimize the caliphate, despite illicit activities playing a key role in enhancing the group's performance and effectiveness as a governing body.

An overview of monetary economics

Monetary economics involves all functions of money relating to a sovereign state; by definition, it involves creating and managing money within (and between) states.[6] Historically monetary economics came into existence as

ancient city-states erupted, with 'household writ large, coexisting amicably with kin-based households.'[7] The first model of a cross-continental, multi-state recognized monetary system developed in the 10th century CE amid the Islamic Golden Age with the simultaneous emergence of international trade.[8] Coinage became the medium of exchange for trade, and centralized coinage represented these ideologically based societies. As will be explained, it was precisely this era of glory that ISIS seeks to recall through their currency and monetary policy as well as the caliphate at large. In 17th century Western Europe, there became need to develop an internationally recognized monetary system to fulfil the demands of the growing international trade by new European states, including shifting commodity trading to fiat currency and establishing central banks.[9] Today, money creation follows a strict international guideline which requires the sovereign state to develop a central bank and adhere to the rules of the international money markets, in order to have its currency included in the global exchange markets and be able to trade with other countries. The recognized sovereign state issues the fiat currency through its central bank.

Islamic monetary and financial systems grew rapidly in the 21st century, reaching $2.6 trillion in 2019.[10] Islamic finance is different from the dominant capitalist financial system, as they require an 'asset-oriented system of ethical financial intermediation and investment built on the principles of risk-sharing in lawful activities rather than rent-seeking gains'.[11] To summarize, Islamic monetary economics, or in another word sharia-compliant finance is based around three pillars: socio-economic equality, true valuation, and a prohibition on interest.[12] Except for Iran and Sudan, Islamic finance operates in countries where the financial systems are not completely sharia-compliant, and organizations including the International Monetary Fund (IMF) provide assistance in incorporating Islamic finance into the international monetary system.[13]

Islamic monetary economics and financial systems are a contested topic in religious studies, history, and in economics.[14] Even though the Quran contains verses describing what Islamic fiscal and monetary policy should adhere to, practically this is more complicated.[15] The most difficult aspects to establish are the no-interest rate banking, profits from equity holdings, and the valuation of money. Central banks, interests and commodity

currency are all inherently against the Islamic monetary economics.[16] In practice, however, establishing a monetary economic system based entirely on sharia is close to impossible and requires almost a closed economy with no international transactions. In this case, monetary economics constitutes a point of contention with the accepted norms of international monetary systems. ISIS capitalizes on this distinction by appealing to reject Western monetary systems, re-interpretating these in their propaganda as the West establishing these systems against Islam. This makes it possible for ISIS to emphasize the impossibility of integration, and thus the need for completely nascent systems of finance.

A part of monetary economics, the social contract between the ruler and its constituents, provides the grounds for a relationship where the collected wealth is distributed and administered to benefit the constituents. Such a relationship is designed to demonstrate the organization's effectiveness as a governing body vis-à-vis the state. This process—referred to in post-Communism literature as 'eudaemonic legitimation'—refers to appeals to economic 'effectiveness' and 'performance' as a distinct legitimation strategy. We argue that eudaemonic legitimation can also be used by insurgents like ISIS to convey economic performance and effectiveness in governance by providing economic benefits for those in and around their territories of control through the integration of stable economic practices. This includes the integration of 'illicit' economies in order to generate income and to enhance proto-state authority.[17] In other words, appealing to economic performance and effectiveness is specifically used to enhance an insurgency's legitimacy vis-à-vis the state by providing economic incentives, welfare benefits, and also attempting to consolidate economic systems.

Eudaemonic legitimation, economic performance, and the effectiveness of insurgent governance

In most political systems, power is generally exercised by both coercion (or force) and authority, yet most leadership seeks to rule on the basis of authority rather than coercion. In this situation, leaders seek the right to rule through consent from the citizenry, where 'legitimation' becomes the process by which they seek to acquire authority (or legitimacy).[18] One such mode is 'eudaemonic legitimation,' which was most frequently applied to

the former Soviet bloc to demonstrate how states appealed to the provision of social and economic benefits for its citizens in order to enhance legitimacy. Eudaemonic legitimation refers to attempts by regimes to legitimize their rule by way of the political order's performance, particularly within the *economic* sphere. In the case of ISIS, the path to international recognition of legitimate statehood was limited, as the organization occupied areas in two sovereign states: Syria and Iraq. As a result, performing governance by providing social and economic benefits and seeking to legitimize this in the context of Islamist governance allowed the organization to circumvent the realities on the ground of controlling irredentist territory.

ISIS, in their claimed caliphate, promised better conditions in the present and afterlife, as their power derives from religion. When leaders appeal to eudaemonic legitimation, they claim the right to rule because they are literally 'delivering the goods' in providing economic and social benefits.[19] In practice, regimes claim authority based on economic performance, higher growth rates, and better quality of living. In turn, leadership seeks to portray itself as the provider of economic prosperity and political stability in appealing to its legitimacy. As applied to communist countries, this legitimation mode is generally based on a government's role in providing social and economic benefits for its citizens. Examining post-Mao China, Chen argues that:

> A regime based on this mode of legitimacy expects to exchange material goods for a popular belief in the obedience-worthiness of its rule and public support for the existing political order. By definition, the execution of this type of legitimacy depends on a regime's capability to deliver material resources for maintaining the base of support.[20]

For many communist and authoritarian systems, socioeconomic or 'performance' grounds have typically been seen as one of the most important bases on which they seek legitimation.[21] The government relies heavily on socio-economic performance in order to generate public support and claim its legitimate 'right to rule' and consequently seeks to portray itself as the provider of economic prosperity and political stability.[22] For example, Niblock argues that especially since the oil price rise throughout

the 1970s in Saudi Arabia, the Saudi regime has appealed its eudaemonic achievements by using oil wealth to build infrastructure, provide education and medical services, and institutionalize welfare programmes by projecting these as examples of effective leadership.[23] In examining the Bashir regime (1999–2008) in Sudan, Washburne identified that the influx of oil money, beginning in 1999, enabled the regime to promote development and its credentials in terms of security and welfare, to enhance its eudaemonic legitimacy.[24] Although ISIS is a non-state actor, the group similarly sought to demonstrate and justify its governance structure by its 'performance' on socio-economic grounds, by arguing that it was the only governing body ensuring complete Islamic financial systems. ISIS sought to legitimize its socio-economic performance by deliberately attempting to separate itself from states like Iran who have sharia-compliant central banks within the international system, whilst simultaneously also publicizing effective economic governance in accordance with the ideology they espouse.

The eudaemonic legitimation mode is comparable to claims made by Lipset that regimes can appeal to their 'performance' and 'effectiveness' in attempting to acquire legitimacy.[25] Appeals to 'performance' are used to demonstrate how a regime is delivering for the population, and appeals to 'effectiveness' encompass the degree to which the political system is satisfying the basic functions of government. However, a sole emphasis on appealing to legitimacy through performance and effectiveness can become problematic in the long term, as such justifications for maintaining power cannot continuously guarantee successful economic performance. There is also a close link between eudaemonic legitimation and the notion of a 'social contract.' In its generalized form, Tedesco and Barton argue that social contracts imply that people agree to live together under the rules that give them rights and obligations, and that the authority of the state-institution enforces these rules.[26] Under a social contract 'every individual who supports the contract expects benefits, and these are central reasons for the 'signing' and conceding to the rule of the state,' regardless of regime type. Although this is the case, the social contract is not permanent and can be altered based on changing values and interests. This became inherently problematic in the case of ISIS, when their occupied population (those living within their territory) was fluid and their media campaign was targeted to a global audience. Whilst ISIS established social contracts with

those living in and around their areas of proto-state influence, the group also simultaneously placed ongoing emphasis on social contracts being consolidated through allegiances to a future Islamic State. This was not only depicted through its publications, but sought to be justified and legitimized through established insurgent governance structures in both Iraq and Syria.

Like states, insurgents can appeal to specific legitimation modes in attempting to cultivate legitimacy. Existing research that examines how insurgents seek to replace or substitute weak sovereign states generally focuses on how they focus on the provision of public goods in order to sway perceptions of legitimacy towards the insurgency over the government. For example, Mampilly and Krause utilize the 'winning hearts and minds' framework to demonstrate the differences of rebel governance and sovereign states by conducting field studies that specifically emphasize diplomacy and security.[27] Other studies that focus on the economic dimensions of public provision of goods by non-state actors often examine taxation and terrorist financing, but each is limited to the established monetary economic systems of an already existing state.[28] In other words, such non-state actors adhered to the incumbent state's financial systems, including adopting the state's existing currencies in their areas of control. Such scholarship interrogates the fundraising and wealth-building activities of armed non-state actors, but often does not examine nascent monetary economic systems advocated by these organizations. Although Weber's *charismatic, traditional* and *rational-legal* legitimation modes have been applied later to also explain proto-state governance and insurgent appeals to legitimation, so too can eudaemonic legitimation.

It is one matter for non-state actors, like states, to appeal to legitimacy, but it is another for a population to accept it. ISIS's attempts to legitimize their sovereignty and perform effective governance through monetary economic messaging demonstrates a strong example of the eudaemonic model, appealing to this in both its rhetoric and practice. By negating the global financial systems and framing them as opposing religious doctrine, and by placing their economic system as completely compliant with Islamic financial law, ISIS sought to establish their legitimacy as a functioning caliphate existing outside of the international state system. Ultimately, the system they sought to publicize and justify was nascent, but also a system that could not be integrated into the global markets. This emphasized the

need for legitimation as established through their performance and effectiveness even more.

The integration of insurgent economic practices can often be used to appeal to eudaemonic legitimation by demonstrating economic performance and effectiveness in governance vis-à-vis the state. However, this concept as applied to insurgent organizations has often focused on the integration of illicit economies in enhancing performance and effectiveness—not minting currency and attempting to establish formal economic systems, as in the case of ISIS. For example, in applying eudaemonic legitimation to the Revolutionary Armed Forces of Colombia (the FARC), Phelan demonstrated that in consolidating proto-state control, performance, and effectiveness positively aided in insurgent mobilization and legitimation vis-à-vis the Colombian state.[29] Income from engagement in the coca trade allowed FARC to construct social contracts with an array of stakeholders in and around areas of FARC proto-state influence, which impacted positively on mobilization and consolidating control.

There exists the possibility that appeals to eudaemonic legitimation and the group's ideology may clash, particularly if the means to improve performance (such as engaging in illicit activities) violate the ideology's core values used to appeal to the non-state actor's legitimation. In the case of the FARC however, the insurgency was able to link illicit economic activities (particularly in terms of integrating the drug trade) to its Marxist-Leninist and Bolivarian ideology, emphasizing a rhetorical discourse that did not support the coca, but rather the class that cultivated it. FARC appealed to eudaemonic legitimation while simultaneously developing zones of security through creating social contracts with populations in and around their areas of proto-state authority. They consolidated stable economic practices that contributed to the organization's effectiveness in governance and demonstrated economic performance by enhancing its military capabilities, expanding territorially, and providing social provisions and infrastructure.[30]

FARC is similar to ISIS in that they have both linked their illicit economic activities to their ideology. ISIS also linked its economic activities to Islamic monetary economics in order to legitimize governance in-line with its espoused ideology and political objectives. ISIS used this to link and create a continuum of its governance from previous caliphates. Moreover, what is distinct in the case of ISIS is that the group attempted to

justify and legitimize its monetary economics in line with traditional Islamic fiscal and monetary policy in its global communication strategy. Despite this, in practice, tensions emerged when ISIS's consolidation and regulation of illicit economic activities clashed ideologically with this.

ISIS appeals to traditional monetary economics

ISIS espouses an ideological framework of Salafi-jihadism.[31] The Islamic State movement began in the late 1990s with Abu Musab al-Zarqawi, leading to ISIS's formal establishment as an organization in April 2013 after Islamic State of Iraq (ISI) announced Jabhat al Nusra as its Syrian Branch, and the two groups changed their name to ISIS.[32] At their territorial peak, the organization controlled 112,869 km^2 in May 2015, but eventually lost over 90% of its territory in the period leading up to September 2020.[33] ISIS also was one of the wealthiest armed non-state actors in the Middle East—its 2015 revenue was estimated to be between $1 billion to $2.4 billion.[34] Since 2014, the group has consolidated an official and centralized media campaign disseminating the following publications: *al-Naba*, *Dabiq*, *Konstantiniyye*, *Dar al-Islam*, *Rumiyah*, and *From Rome to Constantinople*.[35]

From the movement's inception, ISIS's ideals of sovereignty and governance as distinct from the Westphalian model of statehood were clear, with Ingram et al. arguing that 'Zarqawi's group held firm to its revolutionary goal of replacing it with a Salafi-influenced state run according to the "prophetic method."'[36] As a result, since the organization's initial establishment, through to its territorial peak and eventual decline, ISIS espoused a Salafi-jihadist ideology and advocated a governance structure following this doctrine. The organization separated itself from all that was perceived to be 'imposed' by the West, including the 'entire global system such as international law and banking, development aid, and the United Nations, as being the tools of modern colonialism.'[37] In advocating Salafi-jihadist governance, ISIS promoted clear severance from the West by erasing the border between Iraq and Syria, burning Iraqi and Syrian textbooks, and destroying flags and administrative buildings representative of these states.[38] While the destruction of the incumbent states' adoption of Western institutions was prolific in ISIS's territorial and media activities,

legitimating ISIS authority based on full Islamist governance necessitated attention to monetary economics. Islamic monetary economics constitutes a crucial vehicle of governance, as the Quran clearly outlines Islamic financial rules and regulations.

Undertaking an ambitious venture in an attempt to enhance its own economic legitimacy, ISIS first publicized a commodity currency based on the coins of previous Islamic caliphates. ISIS also began advocating against the use of other currencies—specifically paper notes—in appealing to the legitimacy of ISIS's governance to its global audience. Monetary economic messaging in ISIS propaganda was based on ISIS currency, paper money/other currency, and market transactions, and its integration was used as an attempt to demonstrate the performance of ISIS as an effective proto-state authority. Appealing to eudaemonic legitimation in ISIS propaganda, displays and references to market transactions showcased flourishing markets, appealing foods including honey, dates, rice, and others, as well as shops including jewellers in order to legitimize ISIS authority as comparable to previous Islamic caliphates.[39] Unlike other propaganda, there are no soldiers or violence in images and texts associated with market transactions. Rather, ISIS aimed to demonstrate a functioning societal system through the regulation of economic practices where it provides effective markets, in order to enhance positive perceptions of its performance as a governing authority.

The ISIS coins displayed in their media campaigns are graphic renditions. The inscription on the coin authenticates its issuing authority—in this case ISIS—and its political ideology 'on the path of the prophet.' The coins have seven different etchings on the opposite side of the inscription: wheat crops, a map of the world, a shield and spear, the Umayyad Mosque in Damascus, Al-Aqsa Mosque in Jerusalem, a crescent moon, and palm trees.[40] These etchings sought to establish and legitimize a connection between the present caliphate to the previous Umayyad and Abbasids, which took inspiration from their coinage as well as symbolic references to the Middle East, particularly relating to horticulture and heritage sites.[41] The establishment of coinage was specifically designed to appeal to ISIS's economic self-sufficiency and an attempt to legitimize its sovereignty. In adopting coinage, ISIS attempted to manipulate Islamic finance in their communication strategy to not only justify the economic practice itself, but to legitimize the caliphate in line with 'Islamic' fiscal

policy and monetary practices. As another example, in *al-Naba* issue #175, an infographic demonstrates how to 'jihad with one's wealth,' which included financial advice to spend on freeing Muslim prisoners, preparation and transport of the mujahideen, and preparing the 'battles of the Muslims,' amongst other ways to diversify investments.[42] However, it is important to note that contrary to claims within their official publications, on the ground, the circulation of the minted coins was very limited. Even more contradictory to its communication material, as of the first week of June 2020, local reports from northern Syria show the use of Turkish currency rather than ISIS coins in market transactions.[43]

Finally, ISIS seeks to appeal to the legitimacy of their traditional monetary practices by promoting the de-legitimation of paper money and all other foreign currencies. Within *Dabiq* and *al-Naba*, articles explain the lack of value of paper money and other currencies, such as the Iraqi Dinar, Syrian Pound, US Dollar, and Saudi Riyal.[44] Many of the images, texts, and visuals of paper money and foreign currency emphasize their lack of value, and are delegitimized based on fiat currencies.[45] Such visuals that reject paper money and foreign currency sit alongside images of dead enemies, demonstrating that the utilization of other currency and paper money is not simply advised against, but is also associated with corporal punishments. Moreover, in *Rumiyah* Edition 6, the material outlines the 'effects of attacks by mujahidin on mushrikin's economy,' including direct losses (such as destruction of facilities, ambulance costs, closing cities, roads and businesses, etc.), medium-term losses (such as lowered stock prices, losses in the tourism and insurance industries, rise in security costs, and draining capital), and long-term losses (high unemployment rates, facilities oversight costs, further destabilization, etc.).[46] These references are used to demonstrate ISIS's performance in successfully disrupting global economies while simultaneously appealing to the façade of internal, proto-state economic stability.

Such proto-state economic stability can be seen in visuals that promote working and thriving cities within their 'caliphate' directed towards their global audience, actively serving as appeals to eudaemonic legitimation. ISIS's communication material attempts to appeal to the legitimacy of their Islamic markets that situate the caliphate's stable economic practices outside of recognized, international financial spaces. It paints the picture of

functioning statehood where ISIS and its façade of economic self-sufficiency are ‘delivering the goods’ for those in and around their territory. The food items pictured in their propaganda materials symbolize the staples and popular foods of Middle Eastern cultures, but also are foods that are highly nutritious, i.e., lentils, chickpeas, and dates. The visuals serve as the ‘cadastral map,’ representing what potential buyers and sellers can trade within the promoted caliphate.[47] These media campaigns highlight how ISIS is performing as a self-sufficient, sovereign state with distinct Islamic monetary economics representing a complete separation from Western statehood.

However, despite appeals to link traditional monetary economics to eudaemonic legitimation, specifically through demonstrating ISIS’s economic performance and effectiveness, in practice, the adoption of coinage did little to enhance ISIS wealth. As on-the-ground reports suggest, ISIS used the currency of the incumbent state in its occupied areas, i.e., Iraqi Dinar in Mosul or the stronger currency in the region, i.e., Turkish Lira in Northern Syria.[48] These currencies are not sharia compliant.[49]Although ISIS appealed to Islamic monetary economics, in practice, wealth was generated through the regulation of illicit economies that enhanced the military and socio-economic capabilities of the organization.

ISIS’s integration and regulation of illicit economies

Like other insurgencies, as ISIS consolidated control over territory, it needed revenue to fund the ongoing conflict as well as the provision of goods and economic benefits in order to maintain and mobilize support from the local population. ISIS generated revenue from taxation and fines, rent and oil sales, and slavery/human trafficking.[50] It is important to note that as ISIS is an active terrorist organization, a detailed picture of its revenue stream is dynamic and often difficult to investigate. However, as a result of collective field research, interviews, and primary sources collected within existing scholarship, it is clear that what ISIS is promoting prolifically in its media campaign is strikingly different from how it profits through illicit economies.

According to scholarship from the past six years, the major income streams for ISIS have been taxation, fines, and coercion.[51] The organization has adopted forms of fixed taxation in Islamic policy in an attempt to frame, and legitimize, its own taxation system. Existing literature and field interviews illustrate how ISIS framed their taxation policy.[52] ISIS collects the following taxes: *zakat* (income taxes), *ushr* and *jizya* (excise taxes, border/poll taxes, and service fees), *kaharaj* (property taxes and real estate rentals), and, lastly, fines and punishment fees.[53] In the territories occupied by ISIS, taxation was one of the vehicles of governance that bound the organization to the citizens through the creation of insurgent social contracts, solifidying a stable economic practice that simultaneously allowed the organization to collect revenue. Taxation is sanctioned under Islamic law as *zakat*, and there are two types permissible under sharia: *zakat* and *jizya*. *Zakat* is one of the five pillars of Islam and 'is considered to be the central, if not the only, component policy.'[54] A percentage of one's income has to be donated to the state to help poor members of society, and depending on the source, this is generally 2.5% annually.[55] *Jizya* is the taxation of non-Muslims in exchange for military service. This taxation under different interpretations has also been used to tax non-Sunni Muslims, and in the case of ISIS, was used to tax Shia and Yazidis.[56] Other forms of taxation beyond *zakat* and *jizya* that have been used by previous caliphates are *kharaj*, *ushr,* and financial penalties.[57] *Kharaj* is a tax placed on land ownership, and *ushr* is tax on agricultural production.[58]

Financial penalties in Islamic doctrine are another debated topic amongst Islamic scholars, since they are also not directly addressed in the Quran. While some scholars claim this falls under the umbrella of *riba* (interest fees) and therefore should not be collected, others argue it is an acceptable form of punishment.[59] In order to generate income while simultaneously redirecting funds back into its areas of proto-state authority, ISIS adopted these four different types of fixed taxations in Islamic financial policy to consolidate social contracts by collecting revenue from its citizens. For those that were unable to pay taxes, the punishment was to leave and have their properties confiscated.[60] This played a key role in consolidating social contracts between ISIS and citizens within ISIS's sphere of proto-state governance, whereby citizens were obligated to pay

taxes or face punishment, and revenue derived from this was redistributed back into ISIS's operations.

ISIS deliberately utilized the exact name of the taxes from Islamic fiscal policies in its discourse and propaganda in an attempt to legitimize its taxation system and justify its performance-functioning 'caliphate.' In practice however, there is very little evidence to suggest that ISIS repurposed *all* revenue collected through these taxes in line with the core aims of Islamic fiscal doctrine—in other words, funds were not solely directed towards the core value of enhancing socioeconomic equality and economic prosperity for citizens' social welfare. Rather, these revenues were, in part, being used to fund the organization itself to enhance its military efficacy, including the salaries of soldiers or in some cases real estate to provide living quarters for militants and their families.[61] However, portions of ISIS revenue derived from taxation was directed towards the public provision of goods for the constituency, which was used to appeal to ISIS's performance and effectiveness as a proto-state. This included the provision of electricity, health, education, and food, which ISIS advocated in their propaganda material.[62] Yet while ISIS vocally criticized incumbent states for adopting Western administrative methods in its propaganda—in turn seeking to legitimize its own economic practices as truly 'Islamic'—in practice, it manipulated illicit taxation through appealing to Islamic norms, generating revenue for its own organizational needs and not its stated Islamic purposes.

Other than taxation that ISIS seeks to justify in line with Islamic principles, ISIS consolidated two other primary sources of illicit income: oil and slavery revenues through human trafficking. ISIS deliberately omitted these two streams from its appeals to Islamic financial doctrine and its official media campaign. At its territorial peak until September 2016, ISIS occupied and controlled 'approximately 60 percent of the oil wells in Syria and 5 percent of the oil wells in Iraq' with estimated oil revenues between $250 million to $365 million per year.[63] In the subsequent years when the organization lost around 99% of their territory, their predicted income from oil revenues declined majorly as well.[64] Despite the fact that ISIS attempted to legitimize traditional monetary economics and integrate ISIS currency, revenues from their oil sales were in fact collected in foreign currencies, which was contradictory to what was said in their propaganda campaign. As

a result, oil revenues were not reported in their media strategy even though such income played a key role in enhancing ISIS economic performance and effectiveness. Although ISIS attempted to appeal eudaemonic legitimation through the effectiveness and performance of its financial system based on 'Islamic principles,' in practice, engagement in illicit economic practices yielded higher value but clashed with the group's ideology. In this case, ISIS faced the challenge where the means to improve its performance as a governing authority violated its espoused ideology's core values.

On the contrary, though ISIS omitted an emphasis on oil revenue from its media campaigns and propaganda strategy, ISIS did attempt to legitimize human trafficking, slavery, and kidnap for ransom in line with its ideology. Since 2014, official ISIS documents outlined detailed plans of enslavement, registration, slave trade markets, and sales records.[65] Specifically, ISIS consolidated a stable economic practice by enslaving individuals who did not accept or consent to their rule (thereby 'breaching' social contracts) in the territories they occupied, which tended to target non-Muslim and non-Sunni (predominantly Yazidi) populations.[66] Recent research in occupied territories in Syria found slave markets operated by ISIS, *souk sabaya*, located in Al-Shaddadah, Raqqa, and Tadmur.[67] Women, children, and in rarer cases, males, were forced to become 'household slaves; slaves to be used for sexual exploitation in "rest houses" for fighters in several areas; slaves given as "gifts" to individuals, and slaves sold to generate income in markets and online auctions.'[68] Sources confirmed girls under nine years old were sold for around $165, and older women for lower prices.[69] Similarly, ISIS integrated a kidnap and ransom strategy in order to generate rents where the release of those abducted would be negotiated with the victim's family members. In 2015, the US Treasury estimated that ISIS income raised from kidnap and ransom totalled as much as $30 to $45 million.[70] ISIS validated and publicised Yazidi slavery through religious doctrine in their media campaigns, claiming that it allowed for the enslavement of non-Muslims. First, in *Dabiq* Edition 4, they published Ibn Hajar's *hadith* interpretation of the 'the slave girl gives birth to her master.'[71] One of the female authors in *Dabiq*, Umm Sumayyah Al-Muhajirah, in the article 'Slave Girls or Prostitutes?' quotes Quran 4:3 and 24:32, two verses interpreted as validating polygamy and slavery.[72] In

addition, they employ early Islamic jurisprudence texts to legitimize slavery, such as quotes from 'Kitab al-Umm:'[73]

> …and the reason for the prohibition of shedding Muslim blood being different from the prohibition of shedding the kafir child's and kafir woman's blood is that they are not to be killed due to specific revelation restricting this killing [while the initial ruling allows shedding kafir blood in general]. And our opinion regarding this—and Allah knows best—is that the restriction exists so that they can become slaves, which is more beneficial than killing them, and killing them does not harm the enemy; so, making them slaves is more optimal than killing them.[74]

These interpretations of religious texts not only allow ISIS to legitimize Yazidi slavery both within their areas of proto-state authority and towards its global audience in line with their ideology, but also to integrate and regulate the trade to generate revenue for their operational purposes.

Financing derived from the integration and regulation of illicit economic practices allowed ISIS to provide social services, welfare, and protection of their constituents in their occupied territory. This facilitated the group's appeals to eudaemonic legitimation, where it demonstrated its ability to provide and legitimize economic benefits for its population vis-à-vis both the Syrian and Iraqi states. In its media campaign, visually this played a role in attempting to convince a global audience of its sovereignty as an Islamist caliphate. Yet although ISIS attempted to appeal to the economic effectiveness of traditional monetary economics and Islamic values in order to enhance popular perceptions of its economic performance, in practice, it was illicit, stable economic practices that generated the most income for the organization, despite contravening the group's ideology. The integration and regulation of these illicit economies, and the revenues raised from these sources, were the most lucrative for being redirected back into their governance structures in the territories that they occupied.

Conclusion

As a distinct legitimation mode, appeals to eudaemonic legitimation can be used by insurgent organizations to demonstrate both their economic performance and effectiveness in providing economic benefits for the populations they control vis-à-vis incumbent states—and to justify legitimate governance in doing so. However, what is more unique in the case of ISIS is that the organization sought to integrate, regulate, and in turn legitimize two forms of stable economic practices in an attempt to justify effective and, in many ways, sovereign governance. One of ISIS's public diplomacy objectives is to 'portray life under the caliphate as a sustainable alternative lifestyle to the West, and as a response to deeply rooted grievances.'[75] The adoption of Islamic monetary economics in their media campaign played a key role in attempting to reconcile key historical grievances against the West in the financial sphere, while at the same time providing solutions by attempting to create and legitimize a financially independent Islamic caliphate. ISIS adopted and attempted to regulate traditional monetary economics through the establishment of markets, coinage, and the rejection of 'Western-influenced' banknotes in order to justify sovereign rule. In its propaganda and media campaigns, the organization attempted to appeal to the legitimacy of traditional monetary economics both domestically and internationally, by rhetorically providing assurance of economic sovereignty and compatibility with Islamist monetary economics, in an attempt to distinguish themselves through a rejection of Western financial systems. ISIS appealed to the legitimacy of monetary economics despite pursuing illicit economies through oil and human trafficking covertly. For ISIS, the legitimacy of appeals to economic performance and effectiveness was heavily linked to Islamist monetary economics, which became a crucial symbol of a sovereign caliphate.

ISIS manipulated Islamic finance, norms, and values in their communications to attempt to legitimize their caliphate and the organization's economic performance. But in practice, it was ISIS's solidification of stable illicit practices that played a key role in enhancing its economic effectiveness, strengthening its military capabilities, and enhancing its ability to provide economic benefits, welfare, and social services to its constituency vis-à-vis the Iraq and Syrian states. In many ways this presented ISIS with a legitimation dilemma, in so far as the integration and regulation of these illicit economies clashed with the organization's ideology, despite positively aiding the insurgency's

governance structure financially. Although the oil revenue was omitted from the group's media campaign, ISIS sought to justify and legitimize human trafficking and slavery as part of their overall ideology. While in the virtual space and through propaganda campaigns, ISIS sought to publicize a functioning, effective monetary economic system that was distinct from Western systems to their global constituency, successful performance as an authority body was aided by illicit economies that in practicum sought to legitimize their governance. Furthermore, in ISIS's media campaigns, appeals to economic performance and effectiveness in line with the eudaemonic mode were directed towards its global audience, in addition to its territorial conquests.

ISIS serves as an example of one of the most sophisticated insurgencies in terms of state-building and proto-state governance. What is unique with ISIS compared to other insurgencies is that the duality of their online propaganda and territorial revenue generation allowed ISIS to legitimize the illusion of economic performance and effective governance to their global constituency, while at the same time consolidating proto-state authority domestically through their territorial conquests, aided by illicit but coveted revenue generation. The case of ISIS demonstrates the power of social constructions of governance, including its relationship to the economic sphere. Specifically, it demonstrates governance types embarking from ideology and religion, and how these are used to legitimize the insurgent group in their territories and in the digital sphere, even while being in active conflict. ISIS's manipulation of Islamist economics in separating their governance from the incumbent state's, while in practice espousing Western capitalism for revenue generation, provides a unique insight into the powers of performative governance fuelled by ideology.

8

LOCAL GOVERNANCE AS A (DE-)LEGITIMIZING TOOL FOR COMPETING VIOLENT EXTREMIST GROUPS IN CENTRAL MALI

Méryl Demuynck and Julie Coleman

Mali, a landlocked state in the Western Sahel, has now entered its tenth year of crisis following the emergence of a separatist rebellion in 2012 that was quickly co-opted by Islamic extremist groups who first imposed their version of sharia governance in the north from mid-2012 to early 2013. After ousting their former Tuareg allies of the *Mouvement National de Liberation de l'Azawad* (MNLA), whom they had temporarily joined in their efforts to push the Malian forces out of the north, al-Qaeda in the Islamic Maghreb (AQIM), Ansar Dine, and the Movement for Oneness and Jihad in West Africa (*Mouvement pour l'Unification et le Jihad en Afrique de l'Ouest*, MUJAO) rapidly took control of major northern Malian cities—with the MUJAO governing Gao, Ansar Dine controlling Kidal, and Timbuktu being in the hands of AQIM and a faction of Ansar Dine.[1] The actors' governance and acceptance by local populations differed depending on group and locality, especially regarding the use of corporal punishment. Each group applied extremist-inspired rules to regulate public life, notably through the ban of alcohol, tobacco, and music, the imposition of gender segregation, and the establishment of institutions to oversee the

implementation of their strict interpretation of sharia law, including Islamic and morality police and courts.[2] This may be considered the first notable attempt at governance by these groups. Chased out from urban centres by France's Operation Serval in early 2013, terrorist groups found refuge in rural areas from which they have continued to exert some control, though in a more covert manner.

While international attention has thus long been centred on countering these terrorist organizations active in Northern Mali, the epicentre of violence rapidly progressed southward to reach the central regions of Mopti and Segou—rendering central Mali the most dangerous region in the country by 2017.[3] In the years since, extremist violence perpetrated by the al-Qaeda-affiliated Katiba Macina and the Islamic State in the Greater Sahara (ISGS) has continued to spread further, reaching southern areas of the country, including Sikasso and emphatically spilling over into neighbouring states such as Burkina Faso and Niger. As of 2021, while sub-Saharan Africa as a whole had witnessed an improvement in terrorist violence, Mali continued to see significant year-on-year increases in the number of deaths from terrorism.[4]

To understand how these groups may be effectively countered, one must understand how they have established support, legitimacy, and control among local communities. In contrast to the 'short-lived experiment in jihadist governance' of its fellow al-Qaeda affiliates in northern Mali in 2012–2013, the Katiba Macina has not exerted the same type of control over central regions, rather ensuring a more discreet presence while generally trying to maintain (co-opted or coerced) local governance actors —an approach that may be described as a 'system of shadow governance.'[5] Through the instrumentalization of local grievances, the provision of minimal services, like the regulation of access to land and natural resources, the resolution of local disputes, and the provision of justice, the group has proved capable of entrenching itself into the local context. As compared to the more 'overt' control exerted over northern territories by terrorist groups in the early days of the Malian crisis, the 'covert' approach adopted by the Katiba Macina, and other al-Qaeda affiliates since 2013, has appeared efficient in disrupting international efforts to dislodge them and sustainable in ensuring terrorist groups' lasting presence—and continued expansion—throughout the region.

The proliferation of non-state armed groups, particularly the emergence and rapid rise in power of ISGS, has turned central Mali into a highly competitive environment for Islamist actors presenting themselves as alternatives to the largely absent central state. While relations between local Islamic State- and al-Qaeda-affiliated cells had long differed from other conflict theatres worldwide, with the two networks avoiding direct confrontations, clashes started to break out in mid-2019 and continued to intensify throughout 2020, particularly in central Mali. In this context, approaches to local governance appeared as a core component of the rivalry between the Katiba Macina and ISGS—with the two groups playing on many of the same levers to exploit the gap in governance provision by the Malian state in remote regions, while necessarily distinguishing themselves from each other to attract more recruits. Both organizations have used varying levels of violence—against state security forces, international troops, local militias, and civilians—to establish their presence throughout the region and impose extremist views in stark contrast to prevailing local religious and cultural traditions. Yet the popular support they have received does not reflect their recognition as legitimate by the Malian people, but rather reveals the particularly poor governance, or a complete lack of thereof, provided by the state.

After providing an overview of key violent extremist actors in the Malian conflict, this chapter will look at various socio-political factors—including local grievances against formal and informal authorities, existing intra- and inter-communal tensions, lack of economic prospects, basic services and state presence in remote rural areas—that have turned central regions into fertile grounds for terrorist groups. It will place particular emphasis on the governance vacuum upon which the Katiba Macina and ISGS have intended to capitalize in order to assert themselves as a legitimate alternative power. It will finally explore the role that local governance issues have played in the context of increased infighting among violent extremist organizations active in central Mali. More specifically, it will outline key actors in the conflict and explore how the al-Qaeda-affiliated Katiba Macina and ISGS have approached local governance in this competitive environment and the extent to which local governance strategies serve as (de-)legitimizing tools for competing Islamist armed groups.

Key violent extremist actors in Mali's conflict

The conflict in Mali includes many state and non-state armed actors with competing interests, profiles, and aims, including national and foreign counter-terrorism forces, international peacekeeping troops, local communal militias, self-defence groups, and violent extremist organizations.

Terrorist violence in Mali, a country once lauded as a model of a stable democratic governance, did not emerge only after 2012, however. Rather, it has its origins in a number of al-Qaeda-affiliated groups dating back to the early 2000s, when members of the Salafist Group for Preaching and Combat (GSPC), founded during the Algerian civil war, were driven out of Algeria and took root in northern Mali.[6] In 2007, GSPC re-named itself as AQIM but, despite adopting the al-Qaeda brand, the group's profile only notably increased in the wake of the Malian crisis. In January 2012, AQIM along with the MUJAO and Ansar Dine temporarily aligned with the Tuareg separatist group the MNLA to launch an offensive to seize control over most of northern Mali, notably controlling the famed historic city and region of Timbuktu.[7]

Chasing their former Tuareg separatist allies out of northern Mali's main urban centres by mid-2012 where they imposed harsh Islamist rule, thereby drawing considerable international attention, the consortium of violent extremist groups was in turn soon driven out of major cities by France's Operation Serval in early 2013. No longer able to control any significant territory, the jihadist elements instead relocated to rural areas.[8] In the years since, al-Qaeda-affiliated groups have continued to dominate Mali's terrorism landscape. In March 2017, the latest iteration, *Jamaat Nasr al-Islam wal Muslimin* (JNIM)—also known as the Group to Support Islam and Muslims (GSIM)—was founded.[9] Pledging allegiance to al-Qaeda leader Ayman al Zawahiri, JNIM brings together all main al-Qaeda affiliates under one umbrella, including AQIM, al-Mourabitoun, Ansar Dine, and the Katiba Macina.[10] While the most notorious among these four Salafi-jihadist groups is certainly AQIM, it is the Katiba Macina that appears to be the most responsible for violent attacks in the country, accounting for 63 percent of violent attacks in central Mali and a third of violent attacks throughout the entire country in 2018.[11] The Katiba Macina,

led by ethnic Fulani preacher Amadou Koufa, not only stands out for its prolific number of attacks, but also for its success in instrumentalizing existing local grievances and tensions.[12]

Around the same time as Katiba Macina's establishment in 2015, Abu Walid al-Sahrawi, once a senior commander of al-Mourabitoun, broke away from the group and pledged allegiance to the Islamic State and its leader, Abu Bakr al-Baghdadi.[13] While it took Baghdadi seventeen months to acknowledge what would become ISGS, Sahrawi used this period to undertake training, recruit members, and raise funds.[14] By October 2017, ISGS's profile became even higher, as the group carried out the Tongo Tongo ambush, in which four US Special Forces were killed, along with five Nigerian troops.[15] While the group has not seen a linear rise to power, facing a number of setbacks that led to premature reports of the group's weakening, it successfully consolidated strength and was responsible for a number of deadly attacks in Mali in late 2019 and early 2020.[16] This started with an attack on a Malian military base on November 1 and continued into early 2020 with a raid against Nigerian armed forces on January 9.[17] The attack saw 89 members of the security forces killed.[18]

Despite the presence in Mali of lethal al-Qaeda affiliates such as the Katiba Macina, and ISGS's growing reputation for inflicting significant casualties in the Sahel, the region did not emerge as a priority for most of the international community until the Islamic State's caliphate in Syria and Iraq fell in early 2019.[19] It was then that considerable consternation emerged about whether Mali, or the Sahel region more generally, could be turned into ISIS's new stronghold. The region's well-known deficiencies in governance and service provision, combined with widespread instability after years of conflict and poorly controlled borders, seemed to mark the Sahel as an area ripe for the re-establishment of ISIS.[20]

By early 2020, ISGS clearly emerged as the primary focus of counter-terrorism efforts in the Sahel, with a number of state leaders, including France's Emmanuel Macron and Burkina Faso's Roch Marc Christian Kabore, explicitly naming the group as the primary target of counter-terrorism strategies.[21] Yet, it is clear that despite the (over)focus on ISGS, the Katiba Macina remains a formidable threat to Malian peace and stability. Interestingly, despite both groups seeking to exploit existing cleavages in society, ISGS's explicit ties to transnational jihadism has led to

far more international focus on eliminating the group, whereas the Katiba Macina's framing of a narrative centred on local ethnic and social issues has allowed them to fly under the proverbial radar of the most explicit scrutiny of the international community.[22] Notably, the Sahel stood out for a while as the only region worldwide where al-Qaeda and Islamic State affiliates at least temporarily entertained a rather peaceful relationship—with the two networks, if not actively collaborating, at least avoiding direct confrontations. Dynamics have since evolved, with this so-called 'Sahel exception' having eventually transformed into open clashes between the two groups, raising further concerns.

Governance in central Mali: Understanding the seeds of violence

Closely linked to the spillover of the crisis that erupted in the northern regions in 2012, the breakout of jihadist and other forms of violence in central Mali—including in the Ségou and Mopti regions, which have since 2007 become the worst affected in the country, particularly in terms of civilian casualties—is also deeply rooted in specific local dynamics.[23]

Located at the intersection between semi-arid Sahel regions to the North and more humid Sudanese areas to the South, central Mali is characterized by the coexistence of diverse production systems sharing—and often competing for access over—natural resources, including fishing, agriculture, and pastoralism. Environmental shocks, especially the severe droughts of the 1970s and 1980s, combined with demographic expansion, have put further pressure on—and increased competition for—land and natural resources.[24] Largely neglected by national development policies, pastoralist communities have been particularly affected.[25] Forced to sell or slaughter important parts of their livestock, herders have suffered from serious impoverishment and have seen a lasting deterioration of their living conditions. Agricultural expansion and the increase in cultivated land, often encroaching on pasturelands and livestock migration (transhumance) corridors, have aggravated intercommunal conflicts between sedentary farmers and (semi-)nomadic herders. Climate change has further aggravated the situation, with unpredictable seasons, decreasing rainfalls, and scarce grazing lands 'forcing herders to move farther and farther south, spurring [further] conflict with farmers over land.'[26] In this context, historical

compromise and tacit agreements that had allowed for cohabitation between various communities have been increasingly questioned, with tensions often crystallizing on customary rules regulating the access to natural resources and land usage.

This central geographic position has moreover exposed the region to the negative side effects of northern Malian uprisings against Bamako authorities. Although affected by the proliferation of arms, increased levels of banditry, and inflows of displaced persons resulting from the successive Tuareg-led insurgencies, central regions have been excluded from subsequent national reconciliation efforts. Blocked from the negotiating table, local populations have started to think that 'the "peace dividend" is reserved for those who take up arms.'[27] This has also certainly led some to 'see armed struggle as a means of renegotiating their social, economic or political position.'[28] Local socio-economic and political grievances are indeed manifold in central Mali, and are largely directed against what is often perceived as a predatory state unable—if not unwilling—to provide necessary basic services.[29] Already generally absent before the crisis, the emergence of various Islamist and other non-state armed groups, and the subsequent rise in violence targeting state officials since 2012, have led most central authority representatives to flee these regions,[30] leaving behind populations even more vulnerable to terrorist groups' violence and recruitment.

The central state is however far from being the only governance figure subjected to local discontent. At the local level, rigid social structures governing most communities have been increasingly contested by lower social strata (often referred to as the '*cadets sociaux*,' a shorthand for inferior social categories, including young people, women, or minority groups).[31] This is notably the case for the descendants of slaves and lowest class within the Fulani ethnic group's hierarchy, the Rimaibe, as well as young generations seeking their own emancipation from constraining social norms.[32] Corrupt practices and abuses committed by local traditional elites, regarded as complicit in government corruption and accused of enriching themselves at the expense of the local population, have exacerbated feelings of injustice. For instance, *marabouts*—traditional Muslim holy men—have been criticized for utilizing their monopoly on religion to extort local communities.[33] Frustrations have also notably crystallized around the

regulations over land ownership and usage, including the collection of usage fees by traditional landowners—called the *jowros*—on pastoralist herders to access the *bourgoutières*, pasturelands particularly coveted by nomadic herders in the Inner Niger Delta.[34]

This tangled and interrelated set of socio-economic and political factors has created a breeding ground for violent (extremist) actors to prosper. The Malian state's weak and contested presence has continued against the backdrop of increasing levels of violence committed against civilian populations by state security actors, and has coalesced with inter- and intra-communal tensions and grievances against local formal and informal authorities.[35] This has created a governance vacuum and provided an opportunity for terrorist organizations to assert themselves as legitimate alternative powers.

Filling the void: Katiba Macina's approach to local governance

In contrast with the proto-state established by Islamic State in Syria and Iraq, and the effective control exerted by jihadist groups over major towns of northern Mali in the early days of the Malian crisis, the Katiba Macina has 'not exercised territorial control in an overt, stable manner over time.'[36] Since their ousting from urban centres in 2013 and redeployment into rural areas, JNIM-affiliated organizations, like the Katiba Macina, have rather been 'ruling through a system of shadow governance,' meaning that 'they rarely stay in the villages they control but establish a base—known as a *markaz* ('centre' or 'camp' in Arabic)—in a remote area and leave local notables to run daily affairs, though on JNIM's terms.'[37] Considering its duration as compared to the short-lived control over northern Malian cities, this approach—which has translated into a more pervasive presence and a lighter footprint arguably more complex to counter through military interventions—seems to have yielded some success in enabling the Katiba Macina to gain ground in central Mali. Establishing itself has required pulling three important levers: ensuring the group's local leadership, building upon grievances against existing local governance actors to gain support, and subsequently imposing its own governance.

Local leadership

The dynamics of jihadism in Mali have undergone major shifts over the past two decades, with the region having transformed from a remote base used by terrorist cells active in Northern Africa, especially Algeria, into a fully fledged operational area for jihadist groups ever more rooted in the local context.[38] In parallel, violent extremism in Mali has, in a matter of years, transformed from an imported to a domestic threat. While the threat originally came from 'foreign' terrorist cells led by North Africans, their progressive implantation in the region 'led jihadist groups to develop on a more Sahelian basis.'[39] This phenomenon, sometimes referred to as a 'sahelization' of violent extremism, led to groups originally dominated by Algerian emirs to increasingly recruit from local communities, both for combatants ranks and leadership positions. This has been accompanied by the emergence of a myriad of Sahel-based groups, most notably the Katiba Macina, created by charismatic radical preacher Amadou Koufa, who hails from Mopti in central Mali.[40]

Koufa has used his background as a preacher to promulgate his ultra-conservative Islamist views, which he has spread through skillful use of local radio.[41] He has earned a reputation for 'fiery sermons broadcast on local radio stations' in Fulfulde, a local language more accessible to the population than traditional Arabic sermons.[42] Koufa himself is an ethnic Fulani, who are traditionally semi-nomadic herders, and actively solicits other members of his community to join his extremist group, invoking images of the (Fulani-led) Macina Empire of the 19th century, located in what are now the regions of Mopti and Ségou in modern-day Mali. But while some of Koufa's success may be attributable to his rhetorical skills and ability to invoke past greatness of the Fulani people, it is likely that his ability to tap into local grievances has been instrumental to his ability to garner support.[43]

Local grievances

Since their early days in the Sahel, terrorist groups in the region have sought to forge links with local (isolated) communities, notably through intermarriages and trading with different local tribes—practices that in turn facilitated recruitment strategies.[44] But they have also sought to exploit the fertile ground provided by a lack of economic opportunities and access to basic public services along with a sense of abandonment by the state and

frustration felt by these communities. This approach was outlined in a letter penned by AQIM's then-leader, Abdelmalek Droukdel, in 2012, which advocated for a strategy based on garnering local support, taking into account local religious and cultural practices and slowly introducing sharia law.[45] Following this method, groups such as the Katiba Macina have not focused only on applying a strict version of sharia, but have adopted a more pragmatic approach to recruitment, namely by appealing to what are often very real local grievances.

Semi-nomadic herders, mostly comprised of Fulani ethnic members throughout the region, have long held deep-seated grievances against (mostly Dogon) sedentary farmers. Living in central Mali—one of the poorest regions in one of the poorest countries on Earth—many Fulani herders suffer from poor health outcomes, lack of education, and scant livelihood opportunities, which have been made worse still by intensifying competition over land and other natural resources.[46] However, prior to Mali's descent into pervasive violence, these tensions rarely boiled over into active hostility, with the different ethnic groups managing to co-exist in a tacit peace.[47] Koufa upended this arrangement and has instrumentalized pastoralist communities' anger over issues such as livestock theft, as well as broader sentiments of 'injustice and discrimination' by state and traditional authorities alike.[48] The easy access to arms, combined with the heightened levels of securitization—where it can appear that there are no limits on the level of violence that can be carried out in the name of counterterrorism operations—has 'opened the floodgates to a level of ethnic-based violence that is without precedent in the region.'[49]

Whether motivated by financial considerations, by a desire to seek redress for persistent feelings of indifference of state officials who are often perceived as failing to take adequate measures to protect the security of pastoralists, or by anger over the privileges afforded to traditional or religious leaders, by virtue of their positions of authority, Koufa's narrative of the Katiba Macina as a force for 'social change and protection' has been a compelling one for many—albeit far from all—marginalized members of central Mali's communities.[50] Koufa has been prolific in conveying narratives denouncing central and local elites' privileges, advocating for greater social equalities, and highlighting impartial and timely justice in order to reach a wide audience in central Mali.

However, the Katiba Macina's discourse and recruitment strategies have led to perceptions of the Fulani being jihadists'—that is, either directly engaged in or at least supportive of violent extremism.[51] This widespread stigmatization has subsequently led to a vicious cycle of violence, with attacks perpetrated on Fulani villages, commonly by armed forces and non-Fulani militia groups, followed by more reprisals against those behind the initial attacks.[52] The Katiba Macina have 'actively sought to tie this cycle back into their radicalization narratives, highlighting the governments' abuses and disinterest in local communities.'[53]

Imposing governance

Not only have extremist militants strove on local grievances, particularly against the central state and local community leaders to recruit and gain ground, but they have also attempted to present themselves as credible alternatives. The more local populations, particularly their most disadvantaged and marginalized segments, including Fulani herders and disillusioned youth, sense that traditional state political and security actors fail to uphold protection of their communities, the more they may be willing to turn to the Katiba Macina for not only security, but to perform governance functions that the state would otherwise take responsibility for, even if they do not share the group's extremist ideology.[54] The Katiba Macina has therefore found space and has often generated further space for itself by targeting not only state administration but also customary and religious leaders that refuse to abide by its rules—in which it can exercise a number of key governance functions, including the administration of justice, access to land, and collecting of the *zakat* (Islamic tax).[55]

During the early days of the Katiba Macina, the group focused on providing public goods and services. This seems to have included providing basic dispute resolution, attempts at regulating land access, and addressing cattle theft.[56] The scope and effectiveness of services and assistance provided by the Katiba Macina remains insufficiently known, but generally seems quite limited. For instance, while the group has reportedly been combating cattle theft, jihadist militants have themselves been repeatedly accused of stealing cattle from local herding communities.[57] Given the longstanding absence of the state, lack of public services, and issues surrounding a corrupt and difficult access to justice system that populations

have had to contend with for years, these minimal advancements have proved to be enough to ensure the group some degree of legitimacy and support.[58] The group, like many others, has also provided a way out of poverty by ensuring its members a source of income. In addition to paying members a small salary, the Katiba Macina is reported to have offered 'up to 750,000 CFA francs ($1,300 USD), a small fortune in rural Mali,' to those willing to carry out a suicide bombing.[59] The Katiba Macina has also exploited the lack of educational opportunities in central Mali, which—if available in the first place—are rarely suited to the needs of semi-nomadic pastoral communities.[60] Koufa's organization has pushed religious education, ostensibly an extremist interpretation of Islam, as a preferred alternative.

Over time, however, the Katiba Macina has sought to impose increasingly severe restrictions, including not only imposing *zakat*, but outlawing many common aspects of life, including 'playing music or football, consuming alcohol and social mixing between the sexes.'[61] Women are required to adhere to a dress code and can no longer travel unless accompanied by their husband or a male relative, which has significantly reduced women's ability to access markets. Notably, Katiba Macina's enforcement of their code of conduct has often been carried out through whipping, abduction, or killing of offenders.[62] The group has also not only relied on voluntary recruitment, but has sometimes used sanctions against communities as a means to forcibly recruit members.[63]

The Katiba Macina has thus vacillated between using violence to assert its authority and control in central Mali and seeking to curry favour amongst local populations by presenting itself as the protector and legitimate governance actor over communities in this region.[64] Enforcement of such measures, which are largely out of line with traditional Malian customs, have further reduced any goodwill that may have been extended to members of the group.[65] Yet for some, the governance functions performed or the justice meted out by Katiba Macina may remain more appealing than the alternative. Trying to establish itself as the only viable governance alternative to a largely absent central state, Koufa's group has however been confronted by the rise in power of an Islamic State affiliate rival, ISGS, which is increasingly contesting the Katiba Macina's influence over central Mali.

Katiba Macina's rivalry with ISGS: Competing Islamist governance

Founded in May 2015 by former al-Mourabitoun commander Abu Walid al-Sahrawi, the emergence of ISGS has profoundly transformed the regional terrorist scene.[66] While local al-Qaeda and Islamic State affiliates had for a time 'largely tolerated each other, with ISGS refraining from infringing on JNIM territory,' this so-called Sahel 'exception' or 'anomaly' has progressively come to an end.[67] As of mid-2019, violent clashes started to erupt between the two groups, mainly 'within the areas of operation for JNIM's Katiba Macina.'[68] Triggered by the expansion of ISGS across Koufa's most strategic bastions, infighting has intensified throughout 2020.[69] This has prompted successive waves of defections from Katiba Macina's ranks to its IS-affiliated rival.[70]

Rivalries have also been at play outside of the battlefield. Beyond the overlap of their operational areas, growing tensions that have emerged between the two organizations are also linked to local governance: 'behind these group rivalries hides a logic linked to local geopolitics.'[71] Issues related to the regulation of access to natural resources and the collection of taxes, as well as each group's positions towards intercommunal conflicts have been at the core of their antagonism. While the Katiba Macina's strategy to gain ground in the region had consisted of building upon strong criticism of local elites, the denunciation of central state representatives' corrupted practices, and the instrumentalization of intercommunal tensions in order to gain local support and position itself as a legitimate governance actor in central Mali, the Katiba Macina has now been challenged on these same grounds by ISGS. The latter has brought into play all the levers at its disposal to get a grip on the region, tapping into the same recruitment base and using arguments to rival Koufa's narrative.

Perhaps unsurprisingly, ISGS has primarily challenged the control exerted by the JNIM-affiliated organizations over 'strategic areas across the Sahel, many of these areas rich in natural resources.'[72] Rivalries between the groups have indeed been 'accentuated by the competition for access and control of pasture areas and *bourgoutières*.'[73] For example, the two rivals' approaches towards pasture management, as well as livestock in-kind taxation, are said to have differed in their application.[74] Local sources indicate that, while Koufa's group has been strictly implementing taxation

on the use of pastureland, ISGS has opted for a free access to grazing areas to attract more local recruits from among local pastoralists.[75] More specifically, it seems that 'land disputes among the Fulani of central Mali have also bled into the competition between JNIM and ISGS.'[76]

ISGS has indeed benefitted from internal tensions that have grown between local and non-local members of Amadou Koufa's group.[77] The Katiba Macina had initially tried to cancel fees paid by non-local herders to local landowners (*jowros)* to access pastures in the Inner Niger Delta in central Mali. In response to the *jowros'* protests, the group finally agreed to maintain taxes while reducing their amount.[78] These disagreements, combined with issues linked to '*zakat* collection (or alms giving) and booty-sharing'[79] between fighters native to the Inner Niger Delta and combatants originating from other regions, including the Seeno, have created frustrations among 'non-local' combatants.[80] Such resentment has then contributed 'spurring defections to the Islamic State.'[81] Local observers argue that ISGS leadership has moreover played on spoils distribution to attract recruits, displaying the fact that, as opposed to Koufa's men, the group did not require fighters to share the takings with leaders.[82]

The two groups have moreover approached the implementation of sharia law differently, with JNIM undertaking 'al-Qa'ida's slower and more calculated approach' as compared to 'Islamic State's quick and often heavy-handed approach.'[83] More concretely, the differentiated approach to aspects of doctrine that has developed alongside this has diverging attitudes towards local intercommunal conflicts.[84] Koufa's position vis-à-vis the conflict between Fulani and Dogon communities has notably been criticized within its own ranks, reportedly prompting defections to ISGS; Katiba Macina leadership's opposition to allowing retaliation against ethnic Dozos after an attack on a Fulani village in 2018 led to reports of the defection of around sixty members to the group's IS-affiliated rival.[85]

In addition, ISGS has increasingly questioned its rival's ability to represent a credible opposition to the Malian government and its local administration. Strongly denouncing Katiba Macina's leadership for its readiness to negotiate with local and central authorities, 'ISGS has posited itself as a more uncompromising alternative to JNIM and preys on more violent or vengeful individuals to exacerbate communal conflicts.'[86] Even

as Koufa's men have imposed sharia law in areas under their control and targeted local officials suspected of cooperating with the state, the group has generally preferred to maintain and co-opt existing governance structures and traditional authorities already in place. In this context, negotiations have already taken place at the local level: 'Since 2018, as the Malian army stepped up operations and increased pressure on the [Katiba Macina], such local accommodation appears to have become more common.'[87] Moreover, forms of mediation are reported to have taken place with opposing self-defence armed groups.[88] In a voice message recorded in late 2019, Koufa himself mentioned the possibility of discussing a ceasefire between his fighters and the Dogon militia Dan Na Ambassagou.[89] For their part, ISGS leadership has 'openly voiced their criticisms over JNIM's Katiba Macina and how its leader, Amadou Koufa, is open to agreements with ethnic Bambara and Dogon militias.'[90]

In parallel, debates around the opening-up of negotiations between the Malian government and jihadist organizations re-emerged in early 2020—when President Ibrahim Boubakar Keïta acknowledged, after years of rejecting the idea of talking with terrorists, that his government had initiated dialogue with JNIM leader Iyad Ag Ghali and Amadou Koufa—offering a new ground for competing narratives around legitimacy and governance.[91] Indeed, 'ISGS has tried to use JNIM's stated willingness to negotiate with the Malian government as a wedge issue as both sides compete for local recruits throughout the region.'[92] In a statement made in late May 2020, the Islamic State central's spokesman Aby Hamza al-Quraishi accused JNIM of 'working with the Malian government to kill the Islamic State's men in the region.'[93] He even went further to accuse its al-Qaeda rival of fighting 'on behalf of the crusaders in exchange of negotiations.'[94] Through its critics, ISGS 'could attract those who do not support dialogue with Malian authorities.'[95]

For now, it seems that neither the Katiba Macina nor ISGS have managed to prevail as the definitive governance actor in the eyes of local communities, but neither has the central Malian government made any notable improvements in providing justice or services in central Mali, leaving a continued gap in governance provision. If the proposed dialogue between the Malian government and JNIM does advance, it will remain to be seen whether this will lead to a significant further erosion of Katiba

Macina's and the other JNIM groups' ability to portray themselves as the legitimate alternative to the weak and corrupt state, or if this might enhance their credibility against their rival, ISGS.

Conclusion: Islamist governance as a (de-)legitimizing tool

Just as the Katiba Macina intended to position itself as a credible alternative to largely absent state officials and local authorities often perceived as corrupted in central Mali, ISGS have sought to discredit and usurp their al-Qaeda rival's position by portraying themselves as the only legitimate counterpower in the area. The growing competition between the Katiba Macina and ISGS has clearly highlighted how 'differences in governance [have] shaped inter-jihadist competition.'[96] They have vied with each other to attract recruits and gain a foothold in local communities by building upon local grievances, capitalizing on long-standing conflicts over natural resources, and providing rudimentary forms of governance and support to their members as well as broader communities. While adopting very similar strategies, and often targeting the same pool of recruits, the two organizations have sought to differentiate themselves and discredit the other's position—providing a telling illustration of how violent extremist actors may 'adapt their governance styles to outbid each other to maintain support from communities.'[97]

Neither of the two entities, which have both in one way or another used indiscriminate violence to impose themselves throughout the region, do however represent legitimate governance actors, nor do they receive significant support from the broader Malian public, as the views they seek to impose are largely out of line with traditional customs. The support they have been able to progressively gather largely results from the particularly poor governance, or complete lack of thereof, provided by state government actors who are perceived as incapable of—if not unwilling to—carrying out their most basic functions in remote rural areas throughout the country.

A sustained response to the spread of violent extremism in Mali will require that democratic actors serve the interests of the public, rather than their own interests or that of a clientelistic group. While it will certainly be an uphill battle, given the longstanding structural challenges that are further compounded by the coups in Mali and the lack of support from the international community to adopt a whole-of-society rather than a security-

focused approach, this chapter has further underlined the fact that the future of the country and the broader Sahel region will likely largely depend on this strategic shift. Given the ability of groups such as both the Katiba Macina and ISGS to gain traction through fulfilling exceptionally modest governance functions, almost any improvement in a legitimate, representative government's ability to govern would be a welcomed first step in addressing the governance vacuum and the lack of services available to ordinary Malians.

9

WOMEN IN JIHADIST PRACTICES OF GOVERNANCE

THE CASES OF AL-QAEDA AND ISIS

Joana Cook

Al-Qaeda and ISIS are the two most infamous jihadist groups of the 21st century. Both are Islamist actors who have engaged in terrorism, insurgency, and violence to pursue their political agendas, which have included the aspiration to establish an Islamic caliphate. For al-Qaeda, this meant focusing on the 'far enemy' first, then establishing a caliphate, resulting in only sporadic and small-scale examples of 'governance.' In contrast, ISIS prioritized a focus on near enemies and establishing and governing a caliphate, where their success in this regard resulted in the most expansive case of jihadist governance in history.

While much has been written about women in al-Qaeda and ISIS, particularly in relation to debates around their roles in violent jihad, what has been lacking more generally is how the decision to prioritize governance disproportionately impacted three key demographics of women to differing extents who became engaged by the group due to this strategic decision. First, local women were forced to live as civilians under the governance of these groups in areas they controlled. Second, and more particular to ISIS, women (both local and international) travelled to become

‘citizens’ where ISIS held and administered territory and helped legitimize their governance project. Third, women were also victims of human slavery and other violations conducted by ISIS—violations that were largely facilitated by their capture and hold of territory.

This chapter highlights how both al-Qaeda and ISIS have been influenced by similar Islamist thinkers, have expressed the desire to govern over an Islamic caliphate, and indeed have drawn female supporters. Yet, ISIS has been spectacularly more successful at this than al-Qaeda, including its many diverse affiliates. This chapter will demonstrate that the prioritization and deployment of governance under the establishment of a caliphate by ISIS led to an unprecedented mobilization of and impact on women yet unseen in other jihadist groups.[1] By establishing its caliphate, the subsequent legitimacy gained by the group, alongside the physical space and resources to implement its vision, directly led to very distinct roles for women within a jihadist group as compared to al-Qaeda. This thus raises important considerations about how different gendered populations may be impacted by Islamist actors who pursue governance, as well as how idealized gendered roles for women have been conceived of and implemented by these groups.

This chapter draws on Mampilly’s description and criteria of successful rebel governance to frame how women have been engaged and impacted by jihadist governance. Mampilly has noted that insurgents engage in governance activities including providing security, meeting education and health needs, food production and distribution, allocating land and other resources for civilians, livelihood activities for civilians, offering shelter, regulating market transactions, resolving civil disputes, and addressing social problems. They also ‘devote considerable attention to less instrumental assertions of power through symbolic actions and that complement other ruling practices and structures.’[2] Additionally for Mampilly, in order for rebels to conduct ‘effective governance,’ three capacities must be met: ‘it must be able to develop a force capable of policing the population;’ ‘the organisation should develop a dispute resolution mechanism;’ and ‘the organisation should develop a capacity to provide other public goods beyond security.’[3] Yet, this literature has also not exclusively or extensively focused on how such governance may extend to or affect women.

This chapter first outlines how women have been viewed in political Islam and Islamic militancy, examining key ideologues and figures who inform these practices. Secondly, it traces the specific discourses and practices of women in al-Qaeda and then ISIS as they pertain to the aspects of governance described above. In the very few examples of territory al-Qaeda seized and governed, their governance efforts were largely limited and ineffective, and women received a minimal focus. In contrast, ISIS engaged women in unprecedented ways as they seized and held territory between 2014 and 2019, meeting the definition of Mampilly's 'effective governance' above. This suggests not only the prioritization of governance aims, but that the more effective these are, the more women's roles may be impacted and emphasized.

The overall aim of this chapter is to highlight not only what women's roles were envisioned to be in these 'caliphates' (and what inspired these), but also to demonstrate that the prioritization of governance aims has significant implications for populations such as women. Such an examination can help better inform not only why women may be drawn to such groups, but also why women have been engaged and impacted so differently thus far in Islamist governance projects. This chapter ultimately demonstrates that beyond looking at women only as jihadist actors through a threat lens, or in debates in Islamist thought, study should be carried out hand-in-hand with an examination of a group's governance aims and related actions.

Women in Islamist thought

Women have played active and varied roles in all aspects of Islam, including in its historical defence; in political Islam; in theological debates and interpretations about their roles and rights; and in challenging, reinterpreting, and expanding roles prescribed to them across the entire spectrum of Islamic thought.[4] In the Quran, numerous female warriors are highlighted, and while women participated in various aspects of Islam's conquests and defence over the years, the majority of their roles have been highlighted in supportive positions, as wives, daughters, and mothers of men at war.[5] Yet, women have also played varied and active roles in Islamist political movements such as the Muslim Brotherhood, Hamas, and Islamist politics in countries like Jordan and Yemen and have themselves

often been the focus of discussion and debate, including by jihadist figures, who have often emphasized the most conservative interpretations of women's roles in Islamic political projects.[6] Notably, leading Islamist figures who have prescribed such roles for women have all been male. However, there have been very few cases where Islamist non-state actors have been able to seize, hold, and govern territory and in fact implement these visions. Yet, these Islamist thinkers helped inform what these governance projects would look like in relation to women.

For example, Sayyid Qutb prescribed very specific roles for women and stated women's 'natural function' was in the domestic sphere, 'to establish a house, to nurse and take care of her children.' Qutb also believed that education in Egypt should also be reformed to reflect these roles, otherwise, 'it will be abnormal and a deviation from the *fitrah* (innate) and the natural aim of her life. She will be sacrificed on the altar of knowledge and labour.'[7] The scholar Sayed Khatab highlighted how this reflected a debate in Egypt at the time, between women being called on to abandon their Islamic traditions and those like Qutb who sought 'righteous society,' 'balanced society' and 'justice' through social reforms that emphasized roles for women.[8] Shehadeh noted this dichotomy in Qutb's thinking: both progressive and liberal at times on topics of religion and politics, but 'ultra-conservative and even regressive regarding the status of women.'[9] While Qutb promoted women's roles in the domestic sphere and highlighted their rights as outlined by Islam (no forced marriage, public not hidden marriage, divorce if required), as a social project women were to be severely restricted in the public sphere. Shehadeh also noted Qutb's thinking was informed by perceptions that Islam was under threat from modernity, Western influence, and regimes in the region at this time.[10] Qutb was also 'uncomfortable' with the 'liberal gender relations' he saw with Westernization.[11] He saw women's roles evolving during his time in the US, where women were entering the workforce in growing numbers, fighting for the vote, and, in Qutb's view, being exploited and limiting their roles in the home and family.

Militant Islamists later inspired by Qutb believed that 'instead of transforming society to establish the Islamic state from below, why not undermine rulers right away through violence.'[12] Those who followed Qutb's prescriptions focused on the near enemy, or Muslim leaders who

appeared to be pro-Western and follow closely prescribed roles for women. Further building on Qutb's claims that non-Islamists are infidels, some of these militants also believed 'they could be killed their property destroyed, their wealth confiscated, their women enslaved.'[13] This informed how ISIS approached Yazidis and family members of Muslim opponents who were enslaved by the group. These thinkers continue to influence jihadist militants today.

Other figures such as Palestinian Abdallah Azzam (a member of the Muslim Brotherhood) became important in terms of shaping and driving the ideology that encouraged Muslims to engage in jihad today. Azzam was noted to be a significant inspiration to and influence on Bin Laden and 'steered' him towards the creation of a multinational, as opposed to a mono-ethnic, group, based on 'uniting the vanguard of the believers, irrespective of their geographic origin.'[14] For Azzam, it was an obligation for Muslims (*fard ayn*) to engage in jihad and fight in both offensive and defensive terms. Azzam opened the door for all Muslims to travel to engage in jihad against foreign forces, and noted that this duty extends to children and women, as well as those with financial obligations: 'children will march forth without the permission of the parents, the wife without the permission of her husband and the debtor without the permission of the creditor.'[15]

As Hegghammer highlights, during Azzam's influential time in Peshawar during the Afghan jihad in the 1980s, women were active supporters of and participants in the jihad. While restricted from training and fighting roles, they 'worked in charities, schools, or hospitals, and saw themselves as taking part in the broader jihad effort.'[16] They also fundraised, authored publications, were leaders of various charities, and accompanied their husbands in jihad. Such active participation 'reflected the connection of many Afghan Arabs to the Muslim Brotherhood, which had a decades-old culture of female participation.'[17] Hegghammer even notes that Azzam was 'something of an Islamist feminist,' encouraging his wife and daughter to 'educate themselves and be active in the community,' and also teach religion to other women and publish a magazine for women, in a context where other Salafists would completely seclude their women. In a publication established by Azzam, *al-Jihad* magazine, he introduced a women's section in 1985 that discussed topics of interest to women, including women historically playing roles in jihad, interest in participating

in jihad, or supporting male family members in jihad today. Most authors, he notes, 'advocated traditional gender roles and sought to distance themselves from Western notions of female emancipation, which they saw as a form of cultural imperialism.'[18]

Much assessment of Azzam in relation to women has focused on his more 'liberal' position on women's role in fighting jihad, which evolved somewhat over time. Azzam considered the roles that women could hold and how women may fight only 'if there is a dire need,' if they cannot be captured or involved direct fighting or combat.[19] Other writings and statements by Azzam later expressed that women's participation may be more contingent on 'prevailing norms in the conflict zone,' or with the accompaniment of a male chaperone, without mixing of the sexes, or if she was 'neither young nor beautiful.'[20] Azzam inspired women such as Roshonara Choudhry to attack British MP Stephen Timms in 2010, and the sisters Leila and Ayan from Norway to join ISIS.[21] Azzam's wife, Umm Mohammed, was also a vocal advocate for jihad from the 1990s and asked her Muslim sisters to 'encourage their husbands and sons to continue with jihad,' holding with such norms.

Key Islamist influences such as Qutb and Azzam differ somewhat on the roles prescribed for women in their visions of Islamic societies. Their prescriptions also emerged out of distinct historical and political contexts and reflected a counter-cultural push against women's more liberal roles that was gaining momentum across the world. Examining their words ultimately helps us to better understand the debates around women's roles in Islamist political projects and explain how and why women have taken up (or been restricted from) certain roles or spaces (e.g., fighting in combat, pursuing higher education or employment). However, the ability for jihadist actors to implement these visions and impose specific roles for women depended largely on the success of their governance projects, which will now be examined via the cases of al-Qaeda and ISIS.

The roles of women in al-Qaeda

The following will outline how women's roles in al-Qaeda have emerged and evolved specifically in narratives of al-Qaeda leadership and in al-Qaeda's practice when attempts at governance have been pursued. Unlike

ISIS, al-Qaeda has very limited examples where it was able to implement governance to a meaningful extent. Thus, this section helps us better understand how women were conceived of in the pursuit of the establishment of the caliphate (where governance would be imposed).

Al-Qaeda's strategy from its inception has been to 'embroil the United States in all-out confrontation with the world of Islam and to brand itself as the vanguard of the *ummah*, its spearhead of armed resistance,' and it is off this that its success could be measured.[22] Al-Qaeda's early and formative years focused largely on militant activity and large-scale plots, and it is not surprising that women remained largely excluded from more visible roles in the organization. Women's roles in al-Qaeda have generally garnered minimal attention as women have not often been the primary perpetrators of violence.[23] As the organization began to expand through regional branches though, some attempts at governance emerged, and transformation of women's roles began. These include Iraq where AQI became active in the insurgency following the 2003 war in Iraq, and women were utilized as suicide bombers. Other examples include Yemen (2011) and northern Mali (2011), where al-Qaeda has its first extensive opportunities at governance and had to consider women in the communities under its control.

Osama bin Laden (d. 2011) often cited distinctly political grievances such as the presence of Western troops in Saudi Arabia, the plight of the Palestinians, injustices in Iraq, and the perceived excesses and blasphemy of regimes around the Islamic world.[24] However, the solution to many of these was framed as a religious one—a return to a society based off the religious prescriptions from early Islam and the days of the prophet Mohammed. However, there was very little, if any, concrete plan laid out for what Bin Laden's caliphate would look like—for example how he would address significant political and social issues—and no clear idea what this society would look like or how it would function. Thus, most of al-Qaeda's more limited positions around women focus on how they can support jihad and not what their roles would look like in these 'caliphates.'

Bin Laden didn't encourage women to participate in military activity. Instead, he encouraged more supportive and passive roles. For example, he urged women in Saudi Arabia to carry out a boycott against American goods.[25] In other statements, he acknowledged the contribution of women in other support capacities (largely domestic):

> As for our mothers, sisters, women and daughters, they follow in the steps of their ancestors—Companions of the Prophet—They adopted their courage and self-sacrifice, encouraged their sons, brothers and husbands to fight for God and go for jihad in such places like Afghanistan, Bosnia-Herzegovina, Chechnya and others … Our women only eulogize men who fight for the sake of God.[26]

Bin Laden also shamed the Saudi regime for allowing female American soldiers in the country, in a sense also shaming those who would allow female soldiers to defend them.[27]

Other key figures included second-in-command Ayman al-Zawahiri, who emerged onto the Islamic militancy scene in Egypt, joining the Muslim Brotherhood as a teenager before forming the organization Islamic Jihad in 1974. He grew up under the direct personal influence of Qutb, and his family rejected Westernization.[28] While noting that women should indeed participate in jihad, he stated that they should not if this means they will be separated from their children. Zawahiri stated, '[The leadership of] al-Qaeda has no women, but the women of the mujahideen do their heroic part in taking care of their homes and sons in the roughness of the immigration, movement, unity, and expecting the Crusader strikes.'[29]

Umaya Zawahiri, the wife of Zawahiri, was also a vocal proponent of women's role in supporting jihad, though readings of her statements suggest broader roles for women. In a December 2009 letter entitled 'Letter to my Muslim Sisters,' she speaks to three distinct groups of women: female jihadis in the Islamic *umma* (community); Muslim women imprisoned by regimes in the Arab world; and all other Muslim women.[30] For the broader category of Muslim women, she encouraged them to follow Islamic law, wear the veil, and bring up their children with a love of jihad. Such suggestions mirrored the prescribed roles according to her husband and Bin Laden, and are aimed at instructing broader community norms. She further urged women to encourage their brothers and husbands to defend Muslim territory and property and assist jihadists with prayer and money, calling such roles 'critical.' Furthermore, she notes that women must:

> Work beside the man to defend her religion and land, so she must defend with herself. If she is not able, then with her money. If she

> is not able that, then by calling in the name of her religion through the calling upon her Muslim sisters in the mosques, schools, institutions and homes. If she is not able that, then through the internet, in which she writes her call, sends it, and spreads the call of the mujahideen.[31]

A 2012 letter from Umaya Zawahiri entitled 'To the Muslim Sisters after the Uprising' also highlighted historic female figures such as Sayida Safiya who killed a Jew by her fort as the men were off fighting and 'was braver than many men of this age.' Sayida Um Imarah is also mentioned, who fought to protect the Prophet and had her arm amputated as a result. Umaya Zawahiri stated, 'We follow the example of those [women] to support our husbands on the truth, courage, and embarking, and fear not anyone except Allah Almighty.' Similar to her 2009 letter, she also addresses Muslim women in prison and 'Muslim women of the world in general,' and further reinforced women's roles in the family to support and guide family members in jihad and donate money to families of wounded or imprisoned mujahideen.[32] These points emphasize that al-Qaeda's focus as related to women was largely on how women could support the jihad and were limited in what this would mean for governance projects.

A 2011 publication produced in Yemen entitled 'Echo of the Epics' contained an article for women entitled 'Women in Yemen and the Crusader War.' It encouraged women's roles in aiding and supporting the group, while offering several examples of women (including one whose son was a jihadi) hiding and sheltering fleeing AQAP fighters, including the group's leader Abu Baseer al-Wuhayshi.[33] *Sada al-Malahim*, one of the regional publications produced by AQAP in Yemen, also offered some specific instructions around dressing wounds, what to cook, and how to support men in the jihad.[34] As Ladbury noted generally of al-Qaeda literature compared to that of ISIS, messages to women overall seemed 'old-fashioned,' and there was 'no appeal to women to be part of a women-friendly "ummah" … nor is there any attempt to appeal to women on the basis of their local grievances, which might be expected to be more immediately relevant to them than the idea of global jihad.'[35]

The above discussion highlights how al-Qaeda often emphasized the roles of women in relation to jihad or their roles in the domestic sphere. This discussion helped provide a limited vision of what women's roles

would be like if al-Qaeda were to attain its vision of establishing a caliphate. There have been limited cases where al-Qaeda affiliates have been able to implement their vision of governance where they then had to consider women in the communities they 'governed.' However, two cases stand out: first, Yemen, in the cities of Ja'ar and Zinjibar in 2011, and later in Mukallah in 2015, where al-Qaeda in the Arabian Peninsula (AQAP) held territory and implemented governance to differing extents; second, northern Mali in 2012, when AQIM-supported Ansar Dine took over.

Al-Qaeda in Yemen

In 2011, al-Qaeda affiliate Ansar al-Shariah seized control of the small city of Ja'ar and announced it had renamed it as 'Islamic Emirate of Waqar,' claiming to have established an Islamic emirate.[36] It also took over the nearby city of Zinjibar. This move came in the wake of the Arab Spring, which left a power vacuum across large swathes of the country.[37] Their cadres here did contain foreigners from countries such as Somalia, Saudi Arabia, Pakistan, and Egypt, amongst others, but there was not a wider call for all Muslims, including women, to come support their endeavour.

Comparable to what would be seen in many cases of Islamist governance, there was immediately an effort to police women's behaviour, visibility, and presence in public, and in cases where their behaviours were considered egregious, to implement harsh *hudud* punishments. Women were advised to stay at home and had to be accompanied by a male *mahram* in public. Gender segregation became enforced, and women's rights and mobility became severely restricted. It was noted that the group had taken inspiration from the Taliban and al-Qaeda in Iraq when considering how to implement governance.[38] They again took over the two cities in 2015 where they tried to implement a more progressive approach, for example rolling back severe *hudud* punishments.[39] It is notable that during this time, they also emphasized public works, demonstrating that social welfare was one part of their agenda.

Later in Mukallah, a port city of 300,000, AQAP was able to implement its most successful case of governance to date in 2015. Having pillaged the central bank, the group was well-financed with $100 million from this raid alone, excluding money obtained regularly through taxation via its

management of the ports.[40] Later renaming themselves the Sons of Hadramawt, their implementation of governance was more measured than that in Ja'ar and Zinjibar in 2011. In an effort that saw them working more closely with locals, including establishing a local governing body called the Hadramawt National Council, they handed over many governance tasks to this group. They also emphasized the community development projects and youth engagement in this period.[41]

Initially women were able to move in public settings, but over time, the treatment towards women became more severe.[42] Again, women became restricted from public spaces, limited from being in public with unrelated males, and there was even a case of a woman stoned to death who was accused of adultery.[43] In neither case in Yemen were foreign women called to participate in any meaningful way in these governance projects, and the prioritization was on implementing sharia' on local women, sex segregation in public, restricting women's public mobility, and policing women's behaviour.

Both AQAP cases above highlight the control and limited roles for women reflected in broader Islamist thinking. These efforts were short-lived and small-scale but highlighted how governance by al-Qaeda via its policing of local populations and 'justice' mechanisms impacted women.

Outside of governance projects alone, AQAP has conducted efforts which have focused on supporting women in the community, such as if male family members/breadwinners have been killed in US drone or air strikes. In some cases, aid such as food, money, and educational materials required by these families has been directly provided by AQAP, building up additional support for the group and also demonstrating their provision of 'public goods' could also be targeted at women in settings where governance was not being implemented more broadly.[44]

Al-Qaeda in Mali

Al-Qaeda in the Islamic Maghreb (AQIM) also had the local goal of controlling territory, implementing sharia law, and expelling foreign influence.[45] AQIM also strategically utilized marriages to expand its role in local populations and help secure its influence in the region.[46] AQIM had exercised aspects of governance including the collection of taxes,

administration of justice, and the provision of material and financial goods for the community for a decade before 2012, when they, along with a coalition of other Islamist actors, took over the three northern regions of Mali, including the city of Timbuktu.[47] Here, they introduced their harsh interpretation of sharia, and destroyed mausoleums and monuments.[48]

A letter left behind by Abdelmalek Droukdel, al-Qaeda's senior commander in Africa when al-Qaeda fled Mali, outlined their strategy (and its limitations) to govern in territory they held in Mali.[49] The primary error highlighted by the group appeared to be the speed and severity by which it imposed sharia on the population. Via this sharia, local women were impacted in several ways. For example, women seen to be contravening sharia were publicly whipped. They were also not allowed to leave their homes, they were forced to cover, and were otherwise banned from all public activities.[50] There were reported cases of widespread incarcerations and rape of women in Timbuktu who violated the rules of jihadists.[51] A community centre that focused on women's economic self-sufficiency and a women's health centre were both looted as well.[52]

Local women protested this rule and even organized marches against it. They drew on Tuareg culture and 'composed poems and songs criticizing the Islamist rule' and also 'mobilised young men against the occupying forces.'[53] It was noted in some local interviews that these protests were in fact some of the first in which local women had ever engaged, which also had a lasting influence on their local political activism thereafter, highlighting how women were also being mobilized to counter these jihadist governance projects.[54]

In this period, other rebel groups in Mali such as the *Mouvement national de libération de l'Azawad* (MNLA) had been increasingly committing abduction and rape of women and girls.[55] There were cases recorded by Human Rights Watch where Ansar Dine had been trying to implement measures to prevent sexual violence. They noted, 'Ansar Dine fighters took several measures to protect civilians from the widespread looting, sexual violence, and other abuses by the MNLA, Arab militias, and common criminals. The Islamist group set up reporting hotlines and conducted foot and vehicular patrols.'[56] One local study group even expressed how before they implemented their form of sharia, 'the Islamists approach a pastoralist's daughter that has been pregnant outside wedlock

and give her help and assistance.'[57] This also points to how the treatment and engagement of women in communities under control of competing groups may become differentiated to distinguish themselves, to gain local support, or to provide examples of 'public goods' to the local community.

Abdoulaziz Al-Hassan of Ansar Dine was later charged by the ICC with war crimes and crimes against humanity, accused of implementing policies of rape, torture, and forced marriage.[58] ICC prosecutor Fatou Bensouda noted that forced marriages came as a 'reward' to soldiers, drawing on religious principles to justify sexual relations, and some only lasted a few hours before then turning to divorce.[59] In total, 173 women were identified as having suffered sexual violence—though the number was expected to be in the thousands—and subsequently faced significant social stigmas.[60] In some cases, unrelated men and women who were seen speaking in the streets were forced to marry (essentially forced marriage).[61]

It was also noted that some women in the lower impoverished status of 'the Bellahs' (people descended from slavery from within the Tuareg community), who lacked any real rights, influence, or political powers, were able to improve their social and economic status and reduce the stigma against them by marrying an Islamist and supporting the Islamist cause.[62] This highlights how some women may in fact find benefits or increased security under Islamist governance.

In both Yemen and Mali, the focus on women by Islamist actors extended predominantly to policing women's behaviours and applying 'justice' to behaviours deemed un-Islamic. However, the inability to conduct effective governance over the longer term meant that such engagement with women was overall quite limited in these projects and often reflected the most severe interpretations of Islamist thought.[63]

The emergence of ISIS and new roles for women

Formally announced as a caliphate in June 2014, ISIS was distinct from past jihadist groups that had engaged in some form of governance in many ways. This included the speed by which it seized and held an area the size of Britain; the use of social media to mobilize a global following; the diversity of persons willing to travel to the caliphate from around the world to become 'citizens' of the project; their extensive propaganda; the

extensive provision of public services; and the wealth the group amassed. These factors each, in part, contributed to the most successful jihadist governance project to date.

ISIS was the inspiration of Jordanian Abu Musab al-Zarqawi, who had his initial roots in AQI. Zarqawi laid out his blueprint for establishing an Islamic state in 2005. He noted four incremental goals to accomplish this: expel the Americans from Iraq; establish an Islamic authority or emirate, then develop it and support it until it achieves the level of a caliphate over as much territory as possible to spread its power in Iraq; extend the jihad wave to the secular countries near Iraq; and a clash with Israel.[64] Zarqawi also envisioned more active roles for women in the organization, particularly in terms of defensive legal doctrine of jihad, and utilized women as suicide bombers. He was killed in a US air strike on June 8, 2006; however, the vision he had laid for his organization would come to fruition in the coming years.

In June 2014, ISIS capitalized on the ongoing and growing security vacuum in the region driven by the Arab Spring and subsequent civil war in Syria, taking over large areas of land including the cities of Tikrit and Mosul in Iraq, border crossings with Syria, and important infrastructure such as dams and oil refineries. On 4 July 2014, Baghdadi formally announced the establishment of a new caliphate, an ‘Islamic State,’ which would have Mosul as its capital in Iraq. This allowed ISIS to establish a tangible physical caliphate that it could govern in territory it had seized. Baghdadi immediately implemented a strict and extreme interpretation of sharia law on the city’s inhabitants, which extended to other territory it captured, including its Syrian capital of Raqqa.

By presenting itself as a religiously accredited caliph, and by being able to hold and control land (its ‘caliphate’), ISIS became the first jihadi group to do so, which greatly impacted their perceived legitimacy. ISIS prioritized establishing the ‘caliphate’ first, and Baghdadi aimed to then ‘purify’ the Islamic community by attacking religious minorities such as Yazidis.

ISIS mobilized the largest flows of foreign fighters and their families in history. In 2013, there were estimated to be 13,000 foreign fighters in Syria prior to ISIS.[65] By 2019, the number of foreigners (excluding Iraqis and Syrians) affiliated with ISIS (including an increasing number of children being born in theatre), reached 52,808 including up to 6,902 recorded

women and up to 6,577 recorded children, a number that proved even higher after the final battle in Baghouz in 2019, when tens of thousands of ISIS fighters and their families were detained by Syrian Democratic Forces.[66]

ISIS also proved to be highly effective in terms of the recruitment of women to their group. While limited to roles like those under al-Qaeda in terms of domestic care, support, recruitment and financing roles, by engaging in a state-building project and holding of territory for an extensive period, many of the roles for women mirrored those of an actual state and provided new, 'empowered' or attractive roles for women to participate actively as never before in areas such as security, health, and education, or simply to live as citizens in this 'state.' ISIS also forced local women to live under this 'caliphate' and engaged in mass abduction and enslavement of women. This section will outline how women were impacted by ISIS's governance project in these three areas: as willing supporters, as civilians under their rule, and as some of the most impacted victims.

Women who chose to join ISIS

Prior to the formal announcement of 'the caliphate' in 2014, Samir Abd Muhammad al-Khlifawi, a senior Islamic State figure, had outlined a 'blueprint' for how to seize territory and subjugate a country.[67] These documents state that members of ISIS were encouraged to marry into influential families in the region to help secure its establishment and influence. Fighters in the organization had also sent al-Khilafawi 'wish lists' including wives. To establish a foothold in the region, marriage offered several purposes for ISIS. It served political utility by helping build and maintain local relationships, additionally offering an outlet for influence at a local and regional level. Marriage also embedded these individuals further into the local population, making ties harder to cut and making it more challenging to expel the group from the region. The prospect of marriage also provided an incentive for foreign men and women to come join the organization.

The vast resources that ISIS controlled allowed it to attract supporters from around the world to be part of its state-building project. By September 2014, it was noted to be worth $2 billion— the wealthiest terrorist group in history.[68] This income paid the wages of its soldiers and their families,

supported widows and the families of ‘martyrs,’ and maintained a system of governance and public service delivery. This also provided practical incentives for women to go abroad. For those who were unmarried and wanted to travel, *maqqars* or women’s hostels were set up to facilitate women’s accommodation upon arrival. Islamic State appealed to women by the provision of services, including a monthly salary for fighters, which provided additional money for wives, children, sex slaves, and their children.[69] ISIS also found opportunities to facilitate this travel by providing funding or assistance for travel. They also drew from contemporary examples of women who have travelled, noting a British pregnant woman who had travelled, or figures such as Hayat Boumeddiene, the wife of Amedy Coulibaly who was responsible for three shootings in Paris in 2015. These women also reinforced behavioural expectations for women in the group to be ‘bases of support and safety for your husbands, brothers, fathers, and sons. Be advisors to them. They should find comfort and peace with you.’[70]

By declaring itself a state, ISIS declared it was obligatory for all Muslims (including women), to make *hijra* to the state if one was able to do so: ‘The State is a state for all Muslims. The land is for the Muslims, all the Muslims.’ Families also were motivated to go abroad, and ISIS framed propaganda videos and images to appear family-friendly, including children on swings, in school, or being positively engaged by mujahideen, which likely influenced the willingness of some women with children to travel to join the group. *Dabiq* often featured stories of women who had travelled to promote others to do the same, like Umm Khalid al-Finlandiyyah, who highlights a Finnish convert’s experience and travel to ISIS-held territory.[71] Furthermore, women who travelled offered clear, visible representation and diversity of the number of female supporters of ISIS, which itself could drive recruitment, and women’s roles thus helped bring legitimacy to this project.

ISIS also spent considerable effort highlighting what it viewed as deficits of women’s rights in the Western world and offered its own interpretation of how women could regain their rights in the caliphate. One manifesto produced by al-Khansaa Media noted:

> After the establishment of the caliphate, coverings and hijab things returned to the country and decency swept the country. Now,

> women are able to travel to their people in Raqqa without having to show their face to the eyes of even one inspector. Respect for their bodies has returned and has been taken from the eyes of onlookers, with their corrupted hearts. Causes of their humiliation are prevented, revealing dresses were confiscated from shops and scandalous photos were banned from walls and shelves. Muslims, with the permission of God, were cleansed.[72]

Indeed, they go so far as to note that they 'fully undertook administration of the land, the people regained their rights, none more so than women'; thus, women were targeted through rights-based discourses to attract them to this governance project. Women also recruited other women into the community, whether through pre-existing relationships or newly established women-to-women relationships, both online and offline. For example, Aqsa Mahmood from Scotland was a prolific blogger and recruiter for ISIS who used her Tumblr account to recruit other women. Mahmood would reach out to other women on Twitter, stating, 'May Allah unite us soon' and offered practical advice for travel.[73] Women themselves were taking the lead in expanding this community.

As thousands of women joined ISIS, the organization also dictated rules for households, whether through marriage or slavery. Some ISIS commanders encouraged their fighters not to have children as new fathers would be less inclined to carry out suicide missions.[74] Forced birth control use by sex slaves also became emphasized to ensure they would not become pregnant, which would have restricted fighters from rape as they were sold from fighter to fighter.[75] The governance of territories and populations brought with it administrative considerations that previous jihadists had simply not had to address, including reproduction. ISIS also established a complex system whereby families of fighters received monthly allowances based on the presence of a wife, children, and indeed slaves—another incentive for women to join.[76]

For ISIS, women were integral to producing the next generation of fighters, and they focused significant emphasis on 'kalifah cubs' or children. They noted, 'the absence of an obligation of jihād and war upon the Muslim woman—except in defence against someone attacking her—does not overturn her role in building the Ummah, producing men, and

sending them out to the fierceness of battle.'[77] In fact, one edition of *Dabiq* offers five pages outlining the importance of this 'jihad without fighting' and the value of 'the wife of the mujahdid and the mothers of lion cubs.'[78] Al-Khansaa Media also noted, 'Bring up the sons of the caliphate to know true *tawheed*. Bring up its daughters such that they know chastity and decency. Know that you are the hope of the ummah. The guardians of the faith and protectors of the land will emerge from you.'[79]

Grievance guidelines were also established for widows, including points on mourning period, etiquette, and remarriage, as were points on marriage, which included avoiding non-Muslims. The emphasis on motherhood for wives was constantly reinforced throughout ISIS media, which idealized and praised women's primary role in the family.

Women's public roles in the caliphate

ISIS was required to reflect its state-building project in its public administration, where women could take up some public roles. Women were able to serve in their community under certain circumstances, by 'studying the science of religion and as female teachers or doctors,' and ISIS set up sharia institutions for women.[80] Practical positions emerged out of this 'state,' such as nurses or teachers, offering more tangible roles that appealed to a wider audience. In the June 2014 issue of *Dabiq*, the group specifically calls for 'scholars, *fuqaha'* (experts in Islamic jurisprudence), and callers, especially the judges as well as people with military, administrative, and service expertise, and medical doctors and engineers.'[81] The group had confirmed that it required female medical personnel to deal specifically with women, and several female medical students from the UK travelled to join the organization.[82] Women were also involved in running brothels for (ISIS) fighters.[83]

As part of this control of territory, there was a specific emphasis on governance, including what Lia has referred to as 'gender-paralleled institution.'[84] This included practical considerations such as gender-segregated policing, which had not yet been seen under al-Qaeda. The most visible example of these have been in the al-Khansaa Brigades in Raqqa. The al-Khansaa Brigade's media wing noted there were 'all-female police brigades operating in Iraq and Syria and that, in certain circumstances,

women may be called to battle, [however] policing and fighting are very low on the list of responsibilities given to women.'[85] Al-Khansaa's female unit acted as religious and moral police and were involved in both the arrest and punishment of women in Raqqa. It was suggested initially that they were established with the purpose of verifying those individuals were indeed women, as male anti-ISIS fighters were disguising themselves as women to pass through checkpoints.[86] For local women, joining al-Khansaa also provided an income and some degree of movement under ISIS's harsh control. Women would train eight hours a day for a fifteen-day weapons course focused on pistols, where foreigners were thought to train on Kalishnikovs. They would also assist in transporting women joining the organization to Raqqa.[87] These female security actors 'policed women's dress armed with metal prongs, sometimes poking, slapping, or even biting women for dress code breaches' and would fine or beat women, or cut their fingers for minor infractions.[88] The case of Allison Fluke-Ekren also highlights that women were leading military battalions and training women and children in the use of guns, suicide belts, and indoctrination.[89]

Even with training, women were largely limited to non-combat roles and were noted to serve their communities as combatants only under the provision of 'Jihad (by appointment)' and only in specific circumstances: 'if the enemy is attacking her country and the men are not enough to protect it and the imams give a fatwa for it, as the blessed women of Iraq and Chechnya did, with great sadness, if the men are absent even they are present.'[90] However, women did take up more militant roles, including as suicide bombers, in the battle to reclaim Mosul in 2017.[91]

For women seeking violent roles with the organization, their wish was now partially fulfilled in policing roles, and even the prospect of more combat-specific roles in limited circumstances could offer some appeal where no other group had done so previously. By having such roles available to women, two new purposes were fulfilled: first, the practical need to police women in a gender-sensitive way in ISIS-held territory; second, women who had wanted to take up more violent roles within the organization but were limited from combat could conduct security-related roles for the group and could be called on to defend the group when necessary. There continued to be debate as to whether combat roles would be opened to women and what this would mean for the group if they did

allow this.[92] Yet, it was noted, 'There is a process of female emancipation taking place in the jihadi movement, albeit a very limited (and morbid) one.'[93]

Women in the broader community

In addition to the restrictions and parameters related to women already discussed above, women were most broadly impacted as members of the population in territory seized by ISIS and forced to live under the caliphate. ISIS was unprecedented in its ability to seize and hold territory, which, at its peak, totalled almost half of Syria and a third of Iraq, and a significant portion of the resources and population within which at one point reached 10 million persons. As the organization began implementing its governance model and sharia law in its newly held territory, women in local populations also had to adhere to new public guidelines on dress, interaction with non-male family members, and sharia-interpretive legal codes as devised by the group.[94] Women in rural areas became restricted from regular education and healthcare, and had their mobility severely restricted due to newly implemented gender segregation requirements, even as ISIS itself criticized al-Qaeda as 'neglectful' on issues of schooling.[95] ISIS also challenged AQAP's implementation of sharia in Yemen, noting it had made no effort 'to regulate women's dress.'[96]

They emphasized public goods related to women as well, such as charitable activities including giving women *zakat*, or offering bread and aid to women in communities they had seized.[97] As the organization continued to establish its governance structure, institutions focused on women such as women's sharia institutions and marriage bureaus were established.[98]

Women were also impacted by ISIS's justice system. ISIS's interpretation of sharia had severe implications for women (and sexual minorities) under the territory it controlled, where women were severely punished for clothing transgressions, publicly punished (including with execution by public stoning) for sexual transgressions such as adultery, and largely limited from travel both locally and abroad without the strict supervision of a '*mahram*' (male guardian). Women also resisted Islamic

State's rule in many ways, including acting against the group's policies and other diverse forms of passive and active resistance.[99]

ISIS and sexual slavery

ISIS's shocking violence against and enslavement of Yazidi women also came about from its seizure of extensive swathes of territory and its ability to hold and administer it for an extensive period. ISIS held approximately 3,500 women and children in slavery; women were being sold and traded as sex slaves, offered as gifts to fighters, and also household slaves.[100] ISIS also enslaved the women of rival jihadist groups, and Salafi figures such as Qatada emphasized his disdain for ISIS 'enslaving the women' of these other jihadist groups.[101] This slavery was justified by the group in religious terms and only provided to mujahideen in ISIS, offering a specific 'reward' for combat roles.[102] Al-Dayal, Mumford, and Bales note that slavery was also utilized to claim sovereignty in ISIS propaganda, gain more soldiers via the children, and gain revenue through human trafficking. In fact, it even established a framework to manage this called the Division and Regulation of Enslavement Framework.[103]

A female author in *Dabiq* drew on religious explanations in a six-page section aimed at 'sisters' entitled 'Slave girls or prostitutes?' to provide justification for this practice, highlighting that it is religiously sanctioned as the Yazidis are considered pagans, slaves who have been separated from their husbands (who were often murdered), even framing it in terms of honour and pride for Muslims and degradation for the *kufir* (non-believers).[104] By also engaging women to justify violence against other women and legitimize their roles in the domestic sphere, ISIS attempted to prevent potential female recruits or female members from being discouraged with the group because of their actions towards other women. This suggested that they recognized the utility of having female authors justify their actions to other women (actions that seemingly 'benefit' men the most). This systematic targeting of Yazidis has now been internationally recognized as genocide, and in limited cases, perpetrators have been charged with war crimes in countries such as Germany.

Conclusion

This chapter has highlighted how prominent Islamist thinkers have viewed the roles of women and how these subsequently became expressed and manifested in al-Qaeda and ISIS, particularly as they pursued government. Notably, it highlights how for al-Qaeda, the limited cases of governance it was able to impose meant that only limited attention was paid to women and largely focused on policing their visibility and roles in public.

ISIS proved to be an evolution in the jihadist movement. Their focus on establishing a ‘state’ drove women’s participation in and impacted them severely under this governance. The unprecedented scale also broadened the variety of roles they could take. While these roles have been largely limited from combat (except for select cases), women have been able to train or participate in ‘security’ and violence in the policing of other women in the al-Khansaa Brigade. They were also accounted for in governance structures like never before—in emphasizing and managing their roles in the domestic and public sphere. ISIS also went to great lengths to highlight women in their propaganda in an effort to draw their support and membership. They strictly controlled local women’s lives, including those who were forced to live under their caliphate and who also became victims of human slavery. This chapter has ultimately demonstrated the importance of examining the gendered roles and gendered implications of governance taken by Islamist actors.

PART III

SOCIAL WELFARE ACTIVISM

10

HEZBOLLAH'S PARALLEL GOVERNANCE STRUCTURE IN LEBANON

Matthew Levitt

In February 2022, Hezbollah Secretary-General Hassan Nasrallah gave an address broadcast live on Iran's al-Alam news network, an Arabic language channel owned by the Islamic Republic of Iran Broadcasting (IRIB), in which he assessed that Israeli threats to destroy the group's precision guided missile programme are no longer credible. Nasrallah doubted the ability of Israeli intelligence to find these missiles and highlighted Hezbollah's ability to deter Israeli attacks with its increased anti-aircraft capabilities. Then, speaking to the overall status of the group, he added a less intuitive argument: Hezbollah's human resources, its popular support, and its connection with its base were keeping it strong.[1] 'Given [the] strength of Hezbollah's popular support and its connection with its base,' Nasrallah argued, 'I think we're past the stage of true danger to the Resistance's existence.'[2] In other words, Nasrallah believes that Hezbollah no longer faces a credible threat of being destroyed, by either an external military threat or by internal protests, due to its human resources and the popular support it receives for this.

Given anti-Hezbollah protests of the type seen in August 2021, and even exchanges of gunfire between Hezbollah and other Lebanese factions

like those in October 2021, this conclusion may have been more hopeful than factual.[3] Still, Nasrallah is on to something when he highlights Hezbollah's successful model of social-welfare governance in Lebanon and touts the strategy's success at building and maintaining the group's base of support over time, even in the face of significant challenges. Providing these services parallel to, and in many cases in place of, those provided (or not provided) by the Government of Lebanon, Hezbollah has created a shadow economy that benefits its supporters, builds grassroots support, and enables Hezbollah to derive a significant measure of authority from its base of support. Though not the official government, Hezbollah has built a politically and economically powerful relationship with those who benefit from its largesse, its 'shadow citizenry.'[4] This not only bolsters Hezbollah's position in Lebanon, but also undermines the standing and legitimacy of the Government of Lebanon. Hezbollah has thus effectively made itself part of the governance system in areas it controls, even as it remained separate from the government.

Later, when Hezbollah decided to enter politics and have some of its members assume positions in the national government itself, it continued to function as an independent organization, running parallel to the government of which it was also a part but without the accountability of being a government institution. Today, Hezbollah benefits from being both a part of, and apart from, the political system at the same time. From an illicit finance perspective, this means that unlike many violent non-state actors, which have only limited access to the formal economy and heavily rely on shadow economies (i.e., economic activities that either circumvent or elude government observation and regulation), Hezbollah is able to operate simultaneously within both the formal, regulated economy and the parallel shadow economy.[5]

In areas Hezbollah controls, the group provides municipal services, jobs, and social welfare support to the local population where 'in many parts of Lebanon, Hezbollah's permission is required for anything from the acquisition of building permits to the provision of social services.'[6] Hezbollah social welfare activities not only buy grassroots support from its beneficiaries, but also foster dependency on the organization's services. Such services include healthcare and educational services, social-welfare, finance, and infrastructure support, and the issue-specific activities of non-

profit organizations working on issues like the environment or demining. Hezbollah pays the salaries of those employed within its service organizations, drawing on the generous funding the group receives from Iran—which the US State Department estimates to be around 700 million dollars a year—and the group's own questionable fundraising activities abroad.[7]

These service organizations form the backbone of Hezbollah's political patronage system, not unlike the patronage systems run by other sectarian political parties in Lebanon but on a grander scale. This system creates institutions that benefit not only the organization's beneficiaries, but also the party as an institution by providing day jobs for its members and supporters and means of raising funds, places to spot and recruit, and other operational benefits for the group itself.

For Hezbollah, however, these patronage systems are not just channels through which the group can build grassroots support. Hezbollah's social service activities are seen by members as 'an act of resistance of jihad that is integral to Hezbollah's struggle against Israel and the West.'[8] Indeed, since the group's inception, the overarching goal of its social welfare activities has been to build a 'culture of resistance' within Lebanon's Shiite community, which Hezbollah-watcher Nicholas Blanford describes as 'a self-sustaining, generational mode of thought and behaviour that embraces the notion of resistance and steadfastness against a predatory Israel and Western ambitions in the Middle East.'[9] In the words of the director of one Hezbollah NGO, 'The resistance society is our own vision. It is the task to build a society that will refuse oppression and fight for its rights. All the rest—water provision, garbage collection, agricultural training—is only a working strategy.'[10] For Hezbollah, social welfare provision is a means to an end, not an end unto itself. Moreover, by virtue of being the one sectarian militia to maintain and grow its weapons arsenal in the wake of the 1989 Taif Agreement that ended Lebanon's civil war, Hezbollah is the de facto enforcer of the political system that promotes sectarian patronage over good governance and meritocracy.

This chapter examines Hezbollah's social-welfare governance model, mapping its growth over the course of the group's own development over time. This model includes mechanisms that cut across a broad array of service areas, including social, public health, educational, financial,

infrastructure, and environmental issues. It also addresses Hezbollah's independent activities and its efforts in more recent years to co-opt the Lebanese government's bureaucracy for its own ends. This has proved to be an extremely effective strategy, but as the corrupt sectarian political system in Lebanon comes under increased pressure to change, Hezbollah's role as key player in that system could undermine its position. No one should be surprised when the group seeks to leverage its social-welfare governance efforts to protect its interests and maintain grassroots support.

Social welfare across the stages of Hezbollah's development

In its early years (1982–1985), Hezbollah's primary area of focus was on militant and terrorist activities. Founded in 1982 in the wake of the Israeli invasion of southern Lebanon that year, Hezbollah did not publicly announce its existence until the group published its 'Open Letter' laying out its goals and ideology in 1985. Those early years are best known for the terrorist attacks allegedly carried out by Hezbollah, like the bombing of an Israeli security headquarters in Tyre (November 1982); the bombing of the US embassy in Beirut (April 1983); the bombing of the US and French military barracks in Beirut (October 1983); and the bombing of the US and French embassies along with other targets in Kuwait (December 1983), among other plots.[11] In the words of Hezbollah deputy secretary-general, Naim Qassem, the 1982–1985 period was foundational 'for the crystallization of a political vision, the facets of which were harmonious with faith in Israel as a solution,' and for the establishment of 'an effective jihad operation as represented by Islamic Resistance forcing Israel's partial flight for Lebanon in 1985.'[12]

This was also a period of competition within the Shiite community, with Hezbollah vying for followers of the AMAL (meaning 'hope,' referring to the Lebanese Resistance Regiments) militia and AMAL fearing that its less militant stance could lead some of its operatives to defect to Hezbollah (and its precursor Islamic AMAL).[13] Indeed, even in these early years, Hezbollah leveraged its access to Iranian financial support to draw Lebanese Shiites into its orbit. According to the CIA, Hezbollah offered monetary incentives to fighters to lure them away from AMAL.[14] One reason Hezbollah's influence had 'grown dramatically' from 1983 to 1985 was the political and social chaos that defined Lebanon at the time,

according to a 1985 CIA assessment. Filling some of the social welfare gaps facing the already downtrodden Shiite community proved to be a tremendously effective strategy to build grassroots support.[15]

By 1985, the CIA published a report entitled 'Lebanese Hizballah: The Rising Tide of Shia Radicalism,' which reported that the group used social programs to improve its image and attract recruits.

> Hizballah [*sic*] charity projects, funded largely by Iran, give financial assistance to poor Shia families… The Hizballah [*sic*] sponsors a welfare system that provides money for hospital care and academic scholarships to lower-class Shias and has set up community service projects, such as rebuilding homes and mosques destroyed in the war, that create jobs for the young… Many Shia youths are attracted to the Hizballah [*sic*] largely because they are out of school, unemployed, and frustrated with their current condition.[16]

Following the release of its open letter, Hezbollah grew its efforts to build a 'culture of resistance' through social services. Over the 1985–1992 period, Hezbollah expert Hanin Ghaddar notes, 'Hezbollah's social services network grew exponentially' even as the group continued and expanded its military operations targeting Israel: 'The goal was to expand and preserve Hezbollah's military structure, protecting it by lobbying the Shia community's support for Hezbollah's raison d'etre and ideology.'[17] To this end, Hezbollah founded many of its most important civilian institutions in the 1980s, including fundraising entities like Hezbollah's Martyr's Foundation, health facilities like the al-Rasul al-Azam Hospital in Beirut, and financial enterprises like al Qard al-Hasan, which was sanctioned by the US Treasury Department in 2007.[18]

During this period, Hezbollah worked hard to instil its vision of a Shia Islamist culture of resistance in areas it controlled. According to the CIA, in the first few years following its founding, Hezbollah 'established what is virtually a radical Islamic canton in the Bekka Valley, despite Syria's military presence there.' The group was also active in south Lebanon and soon, in Beirut. In areas under its control, the CIA reported in 1987, strict Islamic rule was put in place: 'Sale or transport of liquor are prohibited, women are forbidden from interacting with men in public and must adhere

to a strict dress code, civil crimes are punished according to the Koran, and Western education and influences are prohibited.'[19]

Then, in February 1992, Israel assassinated Hezbollah secretary-general Abbas al-Musawi, who was ultimately succeeded in that role by Hassan Nasrallah. Focused on strengthening Hezbollah's popular support among as broad a cross-section of Lebanese society as possible, Nasrallah toned down some of Hezbollah's most hard-line socio-religious positions, opened communication channels with other Lebanese parties and, breaking with the position the group took in its Open Letter against participating in Lebanese politics, decided to participate in the 1992 parliamentary elections. The goal was to present Hezbollah as a Lebanese national movement, not just a Shiite sectarian militia, whose goals and actions were in the interest of all Lebanese.

Hezbollah's newfound political influence complemented its social-welfare governance strategy, and the other way around. Hezbollah supporters started taking up posts in the Lebanese government, resulting in greater services for Shia neighbourhoods.

> With this access, Hezbollah was able to control compensation for displacement and damages resulting from Israel's attacks on Lebanon's South in 1993 and 1996. The Shia community also benefited from roads, public schools, and sanitation, among other state-provided services. Hezbollah took credit for these services, even though they were funded by the state.[20]

Having broadened its support base—both among core supporters and the broader Lebanese public—Hezbollah picked up the tempo of its military operations targeting Israel in south Lebanon. Hezbollah's popularity peaked with the Israeli withdrawal from southern Lebanon in December 2000, which Hezbollah portrayed as its 'divine victory.' In the years that followed, Hezbollah officials would take on increasingly large government portfolios, enabling the group to build and maintain power through its influence over state institutions. Indeed, 'one factor that helped Hezbollah to play a stronger political role in society and transform itself from a military actor into a political party was its provision of healthcare and social services.'[21]

Hezbollah's mechanisms of social-welfare governance

Throughout Hezbollah's development, the group has leveraged social welfare services as a means of violent non-state actor governance. To do this, the group has built a system of civilian institutions to raise and disburse funds; provide health, education, youth, welfare, and other services; and provide basic governance services and local infrastructure for its core supporters. Since 1992, this has also included leveraging its influence over government institutions for these same purposes. In many cases, key personnel have alternated leadership and other key positions among these Hezbollah institutions.

Education and broader youth engagement

In the words of one observer, Hezbollah schools function as 'mobilization agencies' for the creation of Hezbollah's vision of 'an integrated "society."'[22] Hezbollah's most significant umbrella organization overseeing its indoctrination and educational efforts is its Education Mobilization Unit, which the group first founded in 1985 under the name 'University Student Mobilization.'[23] Through this civilian educational entity, Hezbollah seeks to instil in Lebanese students a commitment to jihad and a desire to join the ranks of Hezbollah fighters following completion of their studies. For example, the unit has two symbols. One symbol depicts Hezbollah's emblem (where the 'A' in 'Allah' is an arm extended into a fist holding an assault rifle alongside a globe, seven-leafed branch, and a Quran). In the other symbol, a student stands in the forefront holding textbooks, but his shadow is a soldier in a helmet and boots.[24] Likewise, an Education Mobilization Unit poster depicts an idealized student's life cycle, from Hezbollah's perspective. In a progression of images, it shows a person growing from an infant into a child, and then an adolescent wearing a backpack, a young person with a shoulder bag, a graduate, an armed fighter, and then a coffin from which birds fly toward heaven.[25]

Parallel to the unit's purpose of teaching youth to see such a progression as something that is not just acceptable but a natural and praiseworthy aspiration, this also serves to bolster Hezbollah's standing within the Shiite community. Hezbollah provides financial aid to students in a wide range of educational institutions for costs related to tuition, textbooks, tutoring, courses for university entrance exams, and much more. But it also runs its

own schools through the al-Mustafa and al-Mahdi school networks. The Mustafa schools primarily serve wealthier Shiite communities including 'the children of Hezbollah apparatchiks,' whereas middle-class Shiites—to include 'the children of Hezbollah's rank and file'—typically attend the Mahdi schools.[26] Al-Mahdi schools are rather affordable, but the schools also provide significant scholarships to promising students and needy families.[27] Even while tuition at the al-Mustafa schools runs higher, tuition there still includes medical treatment and insurance.[28] Also affiliated with Hezbollah are the Murtadha and Emdad school networks.[29]

The militant ideological indoctrination and antisemitism within these private Hezbollah school systems is well documented, and the result is not just a cadre of graduates eager to join the ranks of Hezbollah militia but also a broader swath of society that, while less committed, remains under the influence of Hezbollah.[30] As one study of Hezbollah schools concluded, 'a considerable portion of the lower middle class graduating from the schools covered by this study is undoubtedly less under the direct control of Hizballah than under its indirect influence, via the educational networks linked to the party.'[31] All told, this directly contributes to Hezbollah's ability to create a broad constituency of people who follow, support, or otherwise look up to the organization for reasons that may be ideological or simply related to the party's patronage and the pragmatic benefits it provides.

No less significant in this regard is Hezbollah's youth organization, the Imam al-Mahdi scouts, which was established in 1985. According to Hezbollah watcher Nicholas Blanford, 'given Hezbollah's long-term strategic perspective and commitment to building a "society of resistance," the process of mobilization and radicalization of its potential recruits begins at an early age. Children as young as six or seven are encouraged to participate in Hezbollah's youth movement, the first step on the long path to becoming a resistance fighter.'[32] Citing press reports, a Canadian immigration agency report stated that 'the Mahdi Scouts are part of the party's religion-themed youth and recruitment programs and are reported to be "a feeder for Hezbollah's armed force."'[33] The Mahdi scouts run a library and bookmobile, a youth orchestra, summer camps, sports and educational programming, and a long list of other programmes.[34] The youth programming highlights Hezbollah's ideology, its commitment to Iran, its

antipathy for Israel, and general antisemitic themes.[35] Consistently using these themes, the scouts programming seeks to instil Hezbollah's version of a moral code in its youth. Thanassis Cambanis explains:

> The overwhelming substance of the scout manuals, like the programming itself, wasn't about spreading hatred of Israel—that was already taken care of out in the community. It was geared toward constructing an identity in which a child's entire moral sense flowed from a strict interpretation of Islam administered by the jurist, Iran's Supreme Leader Ali Khamenei, and his conduit, Hezbollah. Many illustrations depicted a small Satan hovering over a little boy's shoulder, egging him on to steal, litter, or misbehave. In the Mahdi Scouts, the little boy learned to resist devilish urges. Success in the Scouts led to an invitation to join Hezbollah as a probationary member. The most promising boys were recruited to join the ranks of the fighters.[36]

For obvious reasons, education plays a critical role in Hezbollah's efforts to build a culture of resistance among youth, who represent the group's next generation. As of 2009, some 14,000 students attended Hezbollah schools, and as of 2005, the Mahdi Scouts boasted some 45,000 members.[37] Hezbollah investment in this area is aimed not only at the children, but their parents as well. The heavily discounted and sometimes free educational services, meals, and summer programming are just the kind of benefits underserviced Shiite families need: 'In a country where public education is weak and sometimes lacking, Hezbollah's highly valued educational services put the part at the centre of people's daily lives.'[38] These services make their family beneficiaries both grateful toward and dependent upon Hezbollah.

Healthcare

Another key area of service provision through which Hezbollah builds grassroots support and its culture of resistance, and the shadow citizenry that comes with it, is healthcare. Under Hezbollah's Islamic Health Unit, the group runs effective medical facilities in areas where its supporters live, including hospitals and medical clinics. As of 2009, Hezbollah ran three hospitals, twelve health centres, twenty infirmaries, twenty dental clinics,

and health programmes in ten civil defence social health programmes.[39] A more recent account places six hospitals and four pharmacies under Hezbollah's Islamic Health Unit.[40] For example, Hezbollah runs the Shahid (martyr) Salah Ghandour Hospital in the village of Bint Jbeil in south Lebanon (Ghandour carried out a 1995 suicide bombing targeting an Israeli military convoy with a car bomb against an IDF convoy near Bint Jbeil).[41] The front entrance to the hospital features a sign with the Lebanese and Hezbollah flags alongside a photo of Hezbollah secretary-general Hassan Nasrallah.[42]

Hezbollah established its Islamic Health Organization in 1984, with one medical centre in Hezbollah's stronghold in Beirut's southern suburbs and another in south Lebanon near Sidon, where Hezbollah fighters wounded in local battles went for treatment.[43] A year later, in 1985, a CIA report pointed to Hezbollah sponsorship of 'a welfare system that provides money for hospital care,' among other benefits, to burnish its image and attract supporters.[44] By 2019, Hezbollah's healthcare system was reported to be providing medical services to some two million people.[45] By 2020, Hezbollah members would hold positions in the Lebanese government, including Minister of Health. As a result, the United States had to avoid providing aid directly to Lebanon's Health Ministry, which a senior US official described as 'run by Hezbollah.'[46] Beneficiaries especially appreciate subsidized or free healthcare services, given that medical services are unequally distributed and generally expensive in Lebanon. Hezbollah also integrates its various services, such that its medical facilities provide health services to students at its schools and children who attend its youth programmes. The Islamic Health Organization is similarly embedded with Hezbollah fighting units, providing medical treatment in the field and evacuating the dead and wounded.[47]

When the COVID-19 pandemic hit Lebanon, Hezbollah was well positioned to mobilize some 25,000 people affiliated with its service organizations, including some 1,500 doctors and 3,000 nurses and paramedics, which it described as being part of its 'Frontline Islamic Resistance.'[48] Hezbollah was not the only sectarian party to try to demonstrate its relevance and ability to help combat the pandemic, but it was by far the most prominent effort. Hezbollah officials gave a media tour in Beirut, for example, showcasing testing centres, ambulances, and an

entire Hezbollah-run hospital re-purposed to deal with the coronavirus.[49] Here, in a moment of national crisis, working outside state institutions, Hezbollah positioned itself as a reliable provider not only for its in-group of core constituents, but for the wider society as well. Within months, however, the Beirut port and much of the surrounding area would go up in flames in a massive explosion. This, together with worsening political and economic crises, would thrust to the forefront public concern about the costs of allowing a weak state to be so heavily influenced by mafia-style sectarian bosses, including Hezbollah.[50]

Issue-specific causes: The environment

Hezbollah is perhaps best known for its provision of social welfare services in the areas of education, youth, and health services, but the organization engages in a litany of other functions that benefit its followers and draw additional people to the ranks of its shadow citizenry. Hezbollah also runs non-governmental organizations dedicated to issue-specific causes, such as the environment, where sometimes, along with their civilian function, such organizations serve parallel militant functions as well.

Hezbollah's environmental organization, Green Without Borders, states that its mission focuses on planting trees, cleaning forested areas, establishing public parks, running nurseries, and locating and fighting forest fires, especially in Shia-dominated areas in southern Lebanon and the Beqaa Valley.[51] It engages in such activities, however, to further Hezbollah's 'resistance' through what it and the other Hezbollah organizations with whom it partners describe as the 'southern Green resistance.'[52] In 2017, Hajj Zuhair Nahle, president of Green Without Borders, told Lebanon's *Daily Star* newspaper that 'we do not hide this [affiliation with Hezbollah]. All our brochures include this and in all our media campaigns … we write, "The trees are the shade of the resistance."'[53]

Indeed, such pledges are not just rhetorical flourish. Green Without Borders strategically plants trees in an effort to block the view of Israeli security cameras looking out for potential infiltrators from Lebanon. Green Without Borders built a series of lookout towers just inside the Lebanese border, from which Hezbollah operatives conduct surveillance of Israeli territory using military-grade binoculars. In June 2017, the IDF publicly

identified five such towers along one stretch of the border.[54] Then, in July 2018, the UN secretary-general identified two additional surveillance posts, reporting to the Security Council that the organization had erected seven facilities along the Blue Line (the UN-demarcated border line between Israel and Lebanon established after Israel's withdrawal from Lebanon in December 2000) within UNIFIL's area of operations.[55] Hezbollah has used Green Without Borders as a cover under which to impede UN patrols along the Blue Line and, in September 2019, used Green Without Borders platforms along the Blue Line as launching pads from which fighters affiliated with the group fired three anti-tank missiles at an IDF military ambulance near the Israeli border community of Avivim.[56]

Green Without Borders provides Hezbollah a means to promote environmental causes in southern Lebanon in areas where its core constituents live. But it also provides the group the ability to do other things its local supporters want, such as blocking the view of Israeli cameras peering into Lebanon, providing opportunities to conduct surveillance into Israel, frustrating UN patrols, and even carrying out cross-border attacks targeting Israel.

Finance and infrastructure

One key service Hezbollah provides its followers that observers often overlook is financial services. Leaving aside the many Hezbollah financial institutions that service the group's own financial interests, such as Bayt al-Mal and Yousser Company, the group has also used the various financial institutions that function under the group's Finance Unit to provide services to its supporters.[57] These services include providing interest-free loans, loans in US dollars, and micro-lending services to pay school fees or help people afford to get married. According to its website, the al-Qard al-Hasan Association 'aims to help people by giving loans that are time specific and therefore contributing to solving some of their social problems, while also enhancing the spirit of cooperation… between members of society.'[58] Founded as a not-for-profit charity organization in 1982 'in support of the resisting Lebanese community,' the organization reportedly provides interest-free loans against collateral such as gold or a third-party guarantee to hundreds of thousands of poor people in Lebanon, primarily among the Shiite population.[59]

But while providing people these services, al-Qard al-Hasan simultaneously served as one of Hezbollah's most important financial touchpoints to the international financial system. Following the 2006 US Treasury designation of Bayt al-Mal and Yousser Company, Hezbollah moved some of its funds into al-Qard al-Hasan accounts, giving Hezbollah access to the international banking system.[60]

Or consider the case of Jammal Trust Bank, which provided banking services for multiple designated Hezbollah entities. A rare Shiite-owned bank in a sector of the Lebanese economy long dominated by Christians and Sunnis, Jammal Trust Bank provided Shiites with a sense of financial security and diversity. It was also sometimes the only bank located in rural, Shiite areas in south Lebanon.[61] But it also knowingly provided financial services to Hezbollah institutions, including the Martyrs Foundation (discussed below).[62]

Hezbollah also serves its constituents through its various construction companies, including Jihad al-Bina, al-Waad, Arch Consulting, and Meamar Construction.[63] Reportedly modelled after the Iranian construction company by the same name founded after the Islamic revolution in Iran, Jihad al-Bina selects projects 'based on political considerations that serve the overall objectives of Hizballah,' according to a 1999 United Nations report issued by the Economic and Social Commission for Western Asia.[64] According to the US Treasury Department, which designated Jihad al-Bina as a terrorist entity in 2007, the company is a core part of Hezbollah: 'Jihad al-Bina receives direct funding from Iran, is run by Hizballah members, and is overseen by Hizballah's Shura Council, at the head of which sits Hizballah Secretary General Hassan Nasrallah.'[65] One critical function Jihad al-Bina provided was to serve as a front through which funds could be routed to Hezbollah through deceptive financial practices.[66] Al-Waad and other companies assumed some of these functions once Jihad al-Bina was designated, but they did more than just that. According to the US Treasury Department, al-Waad 'built some of Hezbollah's underground weapons storage facilities and parts of the group's military infrastructure in Lebanon.'[67]

Welfare foundations

Alongside its education, Islamic health, and finance units, Hezbollah's social unit oversees large foundations dedicated to funding the group's social welfare activities.[68] The Social Unit includes Hezbollah's Martyrs (Shahid) Foundation, the Foundation for the Wounded (al-Jarha), and the Khomeini Support Committee.[69]

These foundations provide services of their own and finance the activities of others, including educational and health services, among others. For example, the Imam Khomeini Relief Committee's Al-Imad Association provides assistance to the poor and elderly, free medical tests, cultural and religious programmes, and more.[70] In 2013, the committee reportedly ran twenty relief units in Lebanon, which served over 8,000 people. It provided financial support to more than 4,000 seminary and other students, facilitated interest free loans and dowries for women engaged to be married, and funded the construction of 68 housing units and the repair of 647 more.[71] Hezbollah's Foundation for the Wounded provides hospitalization, treatment, and rehabilitation for Hezbollah fighters and the Shiite community more broadly. But the foundation also promotes the virtues of martyrdom and heaps praise on those who fight with Hezbollah. The foundation invests in promoting Hezbollah among Shiite youth and integrates the wounded into Hezbollah's network of cradle-to-grave social service institutions, with an eye toward firming Hezbollah's position within their community of supporters.[72]

Meanwhile, as its name suggests, the Martyrs Foundation provides aid and support to the families of those killed or injured fighting for Hezbollah. Founded in 1983 as the Lebanese branch of the Iranian foundation by the same name, the Martyrs Foundation proactively cultivates a culture of martyrdom and resistance.[73] According to the US Treasury Department, beyond its fundraising activities, the foundation's senior officials have also been 'directly involved in Hezbollah operations against Israel during the July–August 2006 conflict.'[74] In one case, the US Treasury added, a leader of the Martyrs Foundation based in Lebanon 'directed and financed' terrorist cells in the Gaza Strip that worked with Hezbollah and Palestinian Islamic Jihad.[75] To fund such activities, the Martyrs Foundation runs a network of profitable front companies in such sectors of the Lebanese economy as fuel, pharmaceuticals, tourism, and clothing.[76]

One important Hezbollah fundraising entity that focuses primarily on raising funds to support Hezbollah's militia (aka the Islamic Resistance) is the Islamic Resistance Support Organization (IRSO). Perhaps because of its explicit focus on supporting Hezbollah fighters, the IRSO sits within Hezbollah's Finance Unit, not its Social Unit.[77] In the words of then-US Treasury Undersecretary for Terrorism and Financial Intelligence Stuart Levey, 'while some terrorist-supporting charities try to obscure their support for violence, IRSO makes no attempt to hide its true colours. IRSO's fundraising materials present donors with the option of sending funds to equip Hezbollah fighters or to purchase rockets that Hezbollah uses to target civilian populations. IRSO works to inflict suffering rather than alleviate it.'[78] Consider an IRSO fundraising brochure, which depicts coins falling into a collection box shaped like the Dome of the Rock, located on the plot of holy land Muslims call the Noble Sanctuary (*Haram al-Sharif*) and Jews call the Temple Mount. The picture of a Hezbollah leader appears on one of the panels of the Dome of the Rock. While coins enter the collection box from above, bullets come out from below aimed at a broken Star of David. In other words, funds collected by this group go through Hezbollah and finance weapons and ammunition targeting the Jewish state.[79]

Often, key Hezbollah personnel hold overlapping leadership roles in various Hezbollah civilian institutions. For example, one of the Hezbollah officials who ran the IRSO was Hussein al-Shami.[80] Mr. al-Shami also ran Bayt al-Mal, described by the US Treasury as part of Hezbollah's 'unofficial treasury.'[81] Later, Mr. al-Shami headed a successor Hezbollah financial entity, al-Qard al-Hassan, which was also designated by the US Treasury Department.[82] According to the US Treasury Department, Mr. al-Shami 'is a senior Hezbollah leader who has served as a member of Hezbollah's Shura Council and as the head of several Hezbollah-controlled organizations, including the Islamic Resistance Support Organization.'[83]

Influence through government and politics

Over the past two decades, since Hezbollah decided to participate in the Lebanese political system, Hezbollah personnel have been elected to Parliament and assumed positions in government institutions. Hezbollah is

thus able to benefit from government contracts and budgets, and affect (or disrupt) government decisions, even as the organization and its leadership remain independent of the government. Hezbollah participates in the national government while remaining a separate, independent movement.[84]

As a violent non-state actor with a larger and more sophisticated arsenal of weapons than the Lebanese Armed Forces, Hezbollah is able to intimidate its political opponents and make decisions about war and peace independent of the government. Hezbollah takes credit for government services provided by ministries and departments under its control, but is not held accountable when the government fails to provide key services—to the contrary, the government's corruption and poor governance provided Hezbollah an opportunity to leverage its financial resources and expands its shadow citizenry. Hezbollah is sufficiently flexible to provide 'complementary governance' through tenuous partnerships with the central government and other sectarian parties and sub-state actors. But even this undermines the official government's standing and legitimacy. Hezbollah participates in Lebanese politics, and some of its officials hold government jobs, but it acts in parallel as an independent and unaccountable organization. Hezbollah functions as a hybrid political actor, with one foot in government structures and the rest of its body standing outside of them. Lina Khatib expresses this well in her seminal study, *How Hezbollah Holds Sway over the Lebanese State*: 'Having hybrid status is ideal for Hezbollah. It can rule Lebanon without facing the prospect of civil war or international sanctions on the country. This status also lets it function as the de facto authority in Lebanon without having to address the needs of the Lebanese people.'[85]

Conclusion

Studies of Hezbollah's and other group's similar social-welfare governance efforts indicate the group has developed an effective model. Simply put, 'extensive qualitative interviews with recipients and non-recipients of social services from Hezbollah and other groups, as well as circumstantial evidence from electoral returns, indicate that social welfare support has political payoffs.'[86]

And yet, Hezbollah's hybrid formal and informal political activity has severely undermined the party's political standing in Lebanon. Lebanon's

political and economic crisis became even more acute following the pandemic and the August 2020 Beirut port explosion. Even before the tragic Beirut explosion, protesters from across the sectarian spectrum demonstrated against all Lebanese political parties, including Hezbollah, chanting 'all of them means all of them.'[87] Even members of Lebanon's Shia community, Hezbollah's base of support, openly challenged the party and its leadership.[88] In some ways, the crisis over political reform in Lebanon threatens Hezbollah more than it does any of the other sectarian parties. The reason is that Hezbollah is the only sectarian party that is both part of and above the political system, and by virtue of holding on to its weapons, it is the de facto enforcer of the corrupt political system that is the target of Lebanese protests. Typically, Hezbollah is challenged on its militancy, but now a broad spectrum of Lebanese citizens, including Shiites, are challenging the party on its politics.

Hezbollah may well weather this political storm, and if it does, it will surely be in large part thanks to its effective social-welfare governance model. At the end of the day, even those angry at Hezbollah have become increasingly dependent upon the group for key services. As the government of Lebanon continues to crumble and the economy teeters on the brink of collapse, this will only become more pronounced, not less. As for the party's hardcore followers, the more social services are needed, the more their provision will be seen as an act of jihadi resistance, reinforcing both the recipients' dependency and the provider's ideological commitment. Hezbollah's model of social-welfare governance works, even without the accountability of being a government institution.

11

IDLIB AND THE HAYAT TAHRIR AL-SHAM CONUNDRUM IN SYRIA

Dareen Khalifa

Hayat Tahrir al-Sham (HTS), the jihadist group that broke with both Islamic State of Iraq (ISI) and later al-Qaeda, and survived the civil war in Syria, offers a unique case study for the evolution of jihadist governance. Ruling over its stronghold in Idlib, a province in north-western Syria, the group's leaders have demonstrated a high degree of strategic pragmatism in both their governance model and their dealings with foreign power brokers. During a civil war which has already lasted more than decade, the Syrian jihadist group has masterfully navigated all the pressures to which it has been subjected, ensuring both its survival and control. While the circumstances in which HTS operates may be unique to Syria, the endurance and evolution of their governance model has wider implications for Salafi-jihadist movements elsewhere.

HTS is the current iteration of a faction originally known as Jabhat al-Nusra, whose founder participated in the post-2003 Iraqi insurgency as a member of the Islamic State of Iraq (ISI, which later became ISIS), and in 2011 coordinated with ISI leadership to establish Nusra in Syria. Although the group's approach diverged sharply from ISI and al-Qaeda, its leadership did not sever ties with the Iraqi-led organization until 2013, and even then,

it kept the group within the jihadist milieu by publicly declaring allegiance to then-al-Qaeda leader Ayman al-Zawahiri, which it would later break beginning in 2016 when it forged a merger with several other local groups.[1] Since then, HTS has gradually consolidated its military and administrative control over Idlib by crushing or co-opting competing factions and backing the creation of a single governing authority to run the area's day-to-day affairs.

Whether HTS in the long-term can normalize its governance over Idlib is far from clear. However, the group's trajectory and discourse of its leadership show that it has been undergoing a transformation, morphing from an al-Qaeda affiliate with a transnational Salafi-jihadist outlook into a Syrian-dominated force that, despite having an Islamist orientation that many regard as repressive, seems to have abandoned its transnational goals in favour of a local governing project in an enclave in northwest Syria. Yet, the group's apparently less ideological and more pragmatic approach to its surroundings is often gainsaid by the violence it has used while consolidating its control. This has included cracking down on Western- and Turkish-backed opposition groups, its muscular silencing of critics, its detention of non-violent activists and opposition-affiliated civil servants, and its retention of foreigners with hard-line stances within its senior ranks, even as it has systematically side-lined many hardliners who opposed its transformation.[2]

Today, HTS identifies itself by what it no longer is. While distancing itself from global jihad, the group is yet to clearly redefine their identity and raison d'être. HTS presents itself as a pragmatic local Islamist group that is independent from al-Qaeda's chain of command and has no transnational agenda or connections.[3] Over the years, HTS leadership have shifted the group's 'jihadist' discourse to a local one exclusively focusing on fighting the Syrian regime and its Iranian and Russian backers in Syria. Yet, in reality, they have de facto halted their 'jihad' altogether as they have come to implicitly accept the regime's resilience and the imbalance of power that is tilled against them.[4] While the group continues to pose as an Islamist project championing sharia, the form of governance applied by HTS and the 'Salvation Government' (the civil administrative body HTS backs) has been relying on mainstream religious jurisprudence, rather than imposing more

hard-line interpretations of sharia or attempting to create an Islamist emirate.

Beyond preserving an extended stalemate and consolidating control over Idlib, HTS's nascent and controversial governance project remains a murky one that could take different turns. What is clear, however, is that this resilient and unfolding project is one worth examining. This chapter will describe how Hayat Tahrir al-Sham managed through tactical moves and strategic shifts to outmanoeuvre its rivals, survive over a decade of war, and preserve its governance project, while gradually opening up to regional and international powers. The chapter will also provide a snapshot of HTS's governance on the ground based on interviews conducted by the author in Idlib over several years.

Strategic pragmatism: How HTS endured where others failed

Many close observers of the Syrian conflict have argued that the annihilation of HTS is a matter of time and that its governance project is fleeting.[5] The Syrian regime's pledge to regain every inch of the country resonated among both its friends and enemies as loyalist forces advanced on the battlefield and recaptured some 65% of Syrian territory.[6] Owing to Assad's scorched earth strategy throughout the Syrian war, most rebel groups have not stood a chance in the fight and have either been defeated or surrendered to Damascus.

Idlib is hardly an exception. The Syrian regime's devastating campaign to slowly chip away at the territory gathered momentum in 2019 and early 2020, when loyalist forces captured the southern strip of areas under HTS control. The humanitarian consequences of the regime's advance were grave; hundreds were killed, and over a million people were displaced towards the Syria-Turkey border.[7] Russian bombardment also highlighted two issues: first, that Russian air superiority would always tilt the balance of power in favour of Damascus even in the face of a strong and deeply entrenched jihadist rebel group, and second, that no human cost is too high for Damascus in achieving its goal to reinstate its control. Those two assumptions left close observers, including many Western officials, thinking that while a former al-Qaeda affiliate's control over Idlib is problematic, the phenomenon might be short-lived and inevitably come to an end sooner rather than later.

This belief mostly prevailed, until the Syrian regime's ambitions came up against a significant Turkish military rollout in Idlib. With nearly 3.5 million Syrians in Turkey coupled with domestic resentment of the refugee burden, Ankara doubled down on its pre-existing military presence in Syria in early February 2020 by sending major reinforcements to stymie the regime's advance and prevent yet another wave of refugees.[8] But Turkish soldiers arriving in Idlib quickly became a target of both Russian and regime attacks, and Turkey lost 53 of its soldiers in less than a month.[9] At the time, Ankara responded vehemently to the killing of its soldiers, causing significant losses to regime manpower, armour, and artillery; it also poured thousands more of its ground forces onto the frontlines. This stopped the regime offensive in its tracks, reversed some of its gains, and brought Russia back to the negotiating table, resulting in a renewed ceasefire in Idlib in March 2020.[10]

Turkey's Idlib intervention shifted the balance of power and spared HTS a war they would have certainly lost. It also opened the possibility of sustained HTS control over Idlib. While Ankara pledged to Moscow that they would it root out designated terrorist groups in Idlib, some Turkish officials argue that HTS, despite emerging from an al-Qaeda affiliate, has severed all ties with the group and that it no longer has a transnational terrorist agenda. They also believe HTS is pragmatic enough to not just abide by a ceasefire, but also serve as a useful interlocutor for containing or eliminating transnational jihadists in Idlib, such as ISIS and al-Qaeda. More importantly, Turkish officials take the view that, given how strong, locally rooted, and entrenched HTS is, any attempt at defeating it militarily would come at a high human cost and may create a new wave of refugees who would end up being pushed into Turkey.[11] Additionally, clearing Idlib of its strongest rebel group would also pave the way for the regime to retake it at a lower cost, which is contrary to Turkish interests and would again risk provoking another wave of Syrian refugees into Turkey—this time fleeing Assad's forces.[12] As a result, Turkey has thus far decided to protect Idlib and has, in the process, extended its protection to HTS's rule.

This shift in Turkey's position on HTS reflects the profound transformations the jihadist group has undergone since its break from al-Qaeda in 2016. Through a series of restructuring, internal changes, and military manoeuvres, HTS has attempted to distance itself from broader

transnational Salafi-jihadist movements while containing its reach in Syria, as they perceived ties to those groups as a liability that was putting a target over their shoulders and an obstacle to forming alliances with other Syrian rebel groups. The HTS leadership has also been gradually attempting to recast the group as a local Syrian actor that is both capable of governing Idlib and willing to protect it from becoming a launch pad for international jihadists. HTS Syrian founder (and current political leader) Ahmad Hussein al-Sharaa, known by his nom de guerre 'Abu Muhammad al-Jolani,' has driven the group's evolution, strengthening his grip through HTS's ability to consolidate its administrative control over Idlib.

The transformations HTS leadership have pursued are nevertheless met with scepticism by both Syrian and international actors who point to Nusra's bloody history and problematic conduct as signs of its unchanged militant nature. When Nusra was established, it became infamous among opposition circles for its controversial tactics and thuggish behaviour by some of its members, as well as its strong-arming of rival opposition factions. In 2012, Nusra's bombings of security facilities in Damascus in proximity to densely populated urban centres were widely criticized for undermining the opposition's efforts to broaden their appeal and international support.[13] In 2013, Nusra members attacked Alawi villages, and in 2015, a Tunisian affiliated commander murdered more than 20 residents of a Druze village in Idlib.[14] Between late 2014 and early 2019, the organization gradually dismantled, side-lined, or subdued most of the mainstream armed opposition in northwest Syria while reducing space for civil society in a successful effort to consolidate itself as an unrivalled hegemon.[15]

But while Nusra, and later HTS, grew unpopular among more moderate opposition circles, it was always keen to differentiate its modus operandi from that of transnational jihadists groups. A close look at the group's history and trajectory shows that its leadership wanted to chart its own path. For example, after the group entered the Syrian conflict in 2011, they were able to quickly win the hearts and minds of many locals partly because of their Syrian composition, even though they had come from ISI (which many saw as foreign, brutal, and heavy-handed). They also demonstrated a degree of responsiveness and ability to adjust to local pressures and demands, while showing resilience in the fight against the Syrian regime. By 2013, ISI leader Abu Bakr al-Baghdadi wanted to rein in what he

regarded as his wayward affiliate and bring it under his control, unilaterally declaring that Jabhat al-Nusra would merge with ISI to form the Islamic State in Iraq and al-Sham (ISIS). This decision did not appeal to Jolani, who came out publicly and denied any prior knowledge of Baghdadi's decision. Seeking to defend his group's autonomy from Baghdadi, but also fearful of losing his base, Jolani pledged direct allegiance (*bay'a*) to then-al-Qaeda leader Ayman al-Zawahiri, a decision later described by Jolani in direct interviews with the author as a tactical manoeuvre rather than an ideological alignment.[16] Jolani's decision, however, led to a full-blown war between Nusra and ISIS in which hundreds on both sides were killed and following which many hardliners left Nusra.

Some have argued that although HTS distanced itself organizationally from groups like ISIS and al-Qaeda, this is a mere rebranding or a tactical reaction to military pressure. However, deeper analysis of HTS's governance and political posture shows that the group's position is a cumulative result of years of ideological and strategic divergence from other transnational jihadists groups on defining key issues. This includes HTS's distancing itself from international or external jihadist operations; opposing using Syria as a launch pad to attack targets outside Syria; prioritizing governing over insurgency; and its compromising on the imposition of hard-line Islamist rule over society. Some hardliners within the group who opposed the 2016 decision to cut ties with al-Qaeda argued strongly against these positions.[17] However, Jolani and his inner circle pushed back decisively against that contingent, and over the following years prevailed over them. HTS's leadership also hasn't shied away from its break with transnational jihadism and has indeed gone out of its way to publicly slam prominent jihadist critics as irrelevant and disconnected from reality.[18]

HTS leadership justify these transformations to their rank and file through a mix of pragmatic political reasoning and religious rhetoric. Describing his group's evolution, Jolani stated that he and his inner circle were

> Influenced by a Salafi-jihadist milieu that emerged out of a desire to resist foreign occupation of Iraq after the US invasion…. The reality has changed and so has our thinking. Today our fight has become a strictly local one against a regime that lost its legitimacy in Syria.[19]

HTS's highest religious figure, Abdul-Rahim Attoun (also known as Abu Abdullah al-Shami), rationalized these shifts in HTS's position saying, 'a group moves according to circumstance and capability; it's a reality, not dilution.'[20] Attoun, a brilliant debater and charismatic conversationalist, plays a primary role in socializing and often rationalizing Jolani's pragmatism to HTS supporters through reasoning based on religion and mostly mere political calculations. Attoun has also been key in pushing back against some of the most prominent non-Syrian jihadists by drawing on convenient religious interpretations to defend their decisions. As Attoun put it, 'it is important for us to keep our base informed and on board with our decisions and to not drift too far off from them, but some of our critics are disconnected from the reality we have to deal with.'[21]

The shifts in HTS positions also reflect the internal changes the organization has undergone. Over the years, HTS leadership has lost, systematically side-lined, or expelled some of its prominent members who opposed its transformations or objected to Jolani's decisions. The dissociation from first ISI and later al-Qaeda as well as and internal transformations led a large number of hardliners to leave HTS altogether and publicly criticize the group for sowing discord (*fitna*) and breaking their oath to both al-Qaeda and jihad. According to Jolani, 'When we take a decision, everyone commits to it, and those who are unhappy with these transformations can leave,' and many did.[22] Irritated by their criticisms, HTS started arresting several senior al-Qaeda loyalists in late 2017. This sparked months of internal wrangling followed by the arrest and departure of many of the group's ideologues. Many defected to more hard-line jihadist outfits such as Hurras al-Din, an al-Qaeda-linked faction dominated by hardliners who split with HTS over the latter's relative pragmatism.[23] 'We lost a number of our base when we severed ties with al-Qaeda and fought ISIS, and again when Hurras al-Din was created [in 2018],' a senior HTS religious figure asserted.[24] The changes in HTS posture triggered strong criticism of HTS in the international jihadist community, as well as military confrontations and intra-jihadist killings.[25] The departure and suppression of most ideologues from HTS allows the leadership today to make more dramatic shifts without much internal opposition.

Similarly, HTS systematically cracked down on hard-line elements and groups in Idlib operating independent of their control, leaving little room

for criticism from external actors. HTS has thwarted ISIS attempts to build networks in Idlib following its loss of territorial control in eastern Syria, and counter-ISIS raids and arrests conducted by HTS security forces have driven the group underground. Meanwhile, HTS has contained non-ISIS foreign jihadists and has forcibly dismantled extremist elements who oppose HTS's adherence to the Turkish-Russian truce, most notably the al-Qaeda affiliate in Syria, Hurras al-Din.[26] After initially pursuing a policy of containment toward Hurras, HTS turned its guns against it in the summer of 2020, after Hurras attempted to consolidate an alliance with recent HTS defectors and other hard-line factions opposed to the ceasefire. HTS raided Hurras's headquarters, detained some of its leaders, and forced them to shut down their bases and checkpoints. HTS was also able to ban arms dealers from selling them ammunition, drying up their financial resources, and cutting off their supply lines. These systematic crackdowns have allowed HTS more room for governance changes without being undermined by competing forces.

Between governance and goals: HTS's internal tensions

Among the key factors involved in HTS's break with al-Qaeda and other Salafi-jihadists is HTS's decision to prioritize governing Idlib and the compromises it has been willing to make towards achieving that goal. This became clearer when HTS largely halted its attacks during Turkish-Russian ceasefires, facilitated the deployment of Turkish forces in Idlib, and reined in groups who opposed the ceasefire in return for Turkey's military protection and acquiescence to their control over Idlib. In October 2018, the group issued a statement implicitly accepting the Sochi ceasefire agreement brokered by Russia and Turkey, which caused much debate in jihadist circles.[27] Similarly, in response to the 5 March 2020 ceasefire truce, HTS went as far as issuing a statement thanking the Turkish government for its efforts while stating that it would consider complying with any ceasefire that serves the interest of the region.[28] HTS also increased its military cooperation with Turkish-backed rebel groups that it once fought, silenced internal critics of its rapprochement with Turkey, and invited international journalists, analysts, and humanitarian workers to Idlib, making the case for its transformation.

In sum, HTS's focus today has shifted, and its priority has become preserving the status quo: a freezing of the conflict, consolidating its governance over areas it controls, and gaining some form of international recognition through engagement with Turkey and (it hopes) other states that it deems critical to the survival of its authority. Salafi-jihadists as well as many locals have criticized HTS for this prioritization of governance over fighting the regime. Hardliners in and out of Syria lambast the group for abandoning jihad, as they see it, in favour of maintaining territorial control.[29] For example, then-al-Qaeda leader Ayman al-Zawahiri, in addition to condemning HTS's decision to break from his organization, warned against a 'Turkish invasion' and advocated a different strategy: shifting to a guerrilla war of attrition aimed at 'destroying the enemy's morale' by inflicting unsustainable losses, rather than prioritizing territorial control.[30]

HTS's prioritization of governance is also unpopular with some among the local population who want militants to fight the regime. For Syrians who are being bombed and shelled by Damascus and have been forced to evacuate their homes, abandoning the fight against the regime is not something they are able to countenance, even when there is no realistic hope of victory for HTS. This has made the group walk a tightrope in both their public-facing rhetoric and their teachings to the rank and file, as they maintain an anti-regime posture while emphasizing that guerrilla warfare would only provoke a brutal military reaction from Damascus and its backers, costing HTS its control of Idlib. HTS is not wrong; a concerted HTS offensive would likely provoke a bloody regime takeover, given that the balance of power is strongly tilted towards Damascus and its Russian backers.

HTS's civil administration: An alliance of convenience

HTS has made clear they considered a single civilian administration governing north-western Syria a priority: 'HTS can take a different shape or form in the future and it probably will, but our focus is to administrate Idlib and keep it out of regime control,' a senior HTS figure said.[31] In late 2017, only a few months after Russia and Turkey announced a deal to halt violence in Idlib, HTS expanded its military grip over the province. By early 2018, it had cracked down on the majority of competing factions and

established its military control over 80% of the greater Idlib area (including parts of Latakia, Hama, and Aleppo). As it expanded militarily, HTS backed the establishment of a so-called ‘Salvation Government’ in Idlib to be the latest iteration of its governance and to administer the province’s day-to-day affairs. By 2019, the Salvation Government had taken administrative control over almost all of Idlib. HTS pursued a mix of co-optation and coercion with pre-existing governance structures and local councils affiliated to opposition groups, ensuring that they would all work under the umbrella of the Salvation Government or they would dismantle entirely. HTS has also made clear that other groups operating in Idlib would have to defer to the Salvation Government and its directorates and that parallel institutions would not be tolerated. [32]

Many Western governments and some Syrians see the Salvation Government as an HTS front. The reality is more nuanced. The extent to which HTS yields control over the Salvation Government is debatable, and its means of doing so are not straightforward. After its establishment, the Salvation Government absorbed a significant number of opposition remnants along with many of those who had worked for HTS’s previous administrative organ, the ‘Civil Administration for Services.’ The various offices and directorates of the Salvation Government in Idlib city are staffed by young professional Syrians from across the country who ended up in Idlib as their last resort. A notable number of those who work for the Salvation Government have previously worked for Western-funded local councils, the Turkey-backed opposition-affiliated interim government, or have simply shifted affiliation as control of the area changed hands. A closer look shows that the Salvation Government seems to be an alliance of convenience driven by necessity rather than ideology and run mainly by professional technocrats who enjoy a degree of ideological and organizational distance from HTS.

HTS seems relatively comfortable outsourcing day-to-day governance to the Salvation Government. For example, throughout the various administrative reshuffles, only a few ministers have been politically aligned to HTS, while most others are independent and come from diverse Islamist backgrounds, including those who have been in direct clashes with HTS, like Ahrar al Sham.[33] In describing the relations between HTS and the Salvation Government, Jolani stated: ‘The Salvation Government did not morph from HTS. It is just as inaccurate for others to say we control it as it

is for us to claim that we have nothing to do with it.'[34] Another senior HTS official echoed Jolani's characterization: 'We didn't create the Salvation Government as an HTS front, nor do we claim it's an independent project. It is a manifestation of our approach to governance based on an alliance and merger with other local Islamist groups.'[35] However, the perception in Idlib that is grounded in reality is that HTS leadership have the final say over all of Idlib, including the Salvation Government, and that the civil administration is a non-threatening entity that is neither willing nor able to govern in a direction that goes against HTS.

While HTS remained mostly hands-off from the day-to-day bureaucratic dealings of governance, they kept the upper hand in managing the economy. Although HTS's money-making ventures and sources of funding remain opaque. HTS takes charge of the area's limited resources and economic transactions by controlling the main border crossing with Turkey (Bab al Hawa) and internal crossings into government-held areas.[36] It also indirectly controls 'al-Watad Petroleum,' a company with a monopoly on fuel imports and trade by running commercial companies mostly headed by individuals connected to them. A businessman linked to HTS has reportedly set up a local bank called 'al Sham bank' to be the primary receiver of Turkish Lira in Idlib and to facilitate transactions for Watad Petroleum.[37] In addition, HTS established a cash exchange company, and through it they began charging fees on others doing business in foreign valuta inside Idlib. They also seized a number of abandoned official buildings, public land, and property and resold those to make additional profit. The Salvation Government provides utilities such as electricity, water, and other public services, for which it collects fees and rents out properties seized from the Syrian state or absentee owners. Taxation in HTS-controlled areas is kept to a minimum given the poverty levels in Idlib and the fear of antagonizing the local population. Additional information on HTS finances was revealed in a video recording by one of its former commanders, Abu al-Abd Ashidaa, who accused HTS of corruption and mismanagement and was later arrested by them.[38] HTS rebuffed the commander's video speech saying it was 'full of lies and slander.' However, its leadership is yet to transparently reveal the group's sources of funding and means of spending.[39]

A strategic economic activity HTS has not monopolized, however, has been Western humanitarian aid, clearly in an attempt to avoid both local and

donor backlash. The scarcity of resources in Idlib and the area's heavy reliance on foreign aid, coupled with the increasing numbers of displaced people, have made HTS reluctant to impose policies that could push donors to cease support. A senior Salvation Government official said, 'When we imposed a nominal tax on vehicles delivering aid across the border [in 2019], donors threatened to end their support, so we walked back our decision.'[40] Humanitarians working in or on Idlib also confirm that the Salvation Government has been relatively responsive to their demands, including by removing taxation on vehicles carrying aid and an insurance fee it once levied on projects to ensure implementation, and by cooperating with the UN on cross-line humanitarian deliveries coming from regime areas.[41] However, some Western governments do not accept HTS's supposedly hands-off approach. With the United States increasingly enforcing anti-terror regulations, other Western governments also feared that their funds would fall into the hands of HTS and followed American footsteps to end support for stabilization assistance programs in Idlib in 2018–019.[42] A UN official said, 'We attempted to mediate a palatable formula between the Salvation Government and Western donors. The Salvation Government was responsive, but some donors were just not willing to risk the legal consequences of support being hijacked by a listed group, and ended their support.'[43]

Similar to the aid sector, HTS has refrained from controlling other vital areas of governance like education and health. Most parties to the conflict in Syria have instrumentalized education as a tool of control and a means to entrench their ideology. HTS took a different route. Even after consolidating their administrative control, they allowed the Education Directorate (affiliated to their rival Turkey-based interim government) to continue administering the sector, and Western donors channelled funding to education freely. The curricula adopted in schools are a mix of Syrian government and UNICEF textbooks (omitting messages glorifying the al Bath party or al Asaad family) with no ideological message, let alone an Islamist one. HTS has also not banned girls from going to schools or even attempted to discourage it. On the contrary, HTS leadership advocate for increased Western support to education and state their willingness to offer guarantees that the sector will remain independent from them and from the Salvation Government.[44] Likewise, HTS and the Salvation Government

have steered clear of intervening in the workings of the Health Directorate or in any external support coming to the health sector writ large.[45]

While HTS has granted operational space to the Salvation Government independent from it, its governance reflects an Islamist conservative political project. The Salvation Government generally has a mixed track record when it comes to imposing conservative social norms, but they tend to be responsive to local pressure and thus concede to local demands. For example, they officially ban smoking but have given up on trying to impose it on the local population.[46] They also impose gender segregation in schools, and like most rebel groups, HTS excludes women from its leadership and political organs. However, it has not barred women from public life or from pursuing a career. Indeed, women working at schools, universities, and orphanages seem to have been running offices without much outside interference and are often vocal in their criticism of HTS. In 2020, they allowed a group of volunteers in Idlib to form a self-appointed vigilante referred to as *al-hisba* or the religious police naming themselves 'al Falah.' And because HTS is also concerned about criticism from the more populist conservative base in Idlib, it took them months to find a way to dismantle the group without creating much backlash, but they ultimately did, stating that 'religious police have no place in a modern state.'[47]

So far, HTS governance, despite being conservative, is neither socially draconian, nor is it extremist. In contrast to groups such as ISIS or the Taliban, HTS has not attempted to impose the harshest aspects and interpretations of sharia law on the over three million people it governs. The group has not compelled women to fully cover their faces, nor barred girls from going to school.[48] HTS has also significantly improved relations with local minority groups like the Christian and Druze communities in Idlib. They have allowed Christians to reopen their churches and celebrate their holidays, and senior HTS leadership have been working to return homes they confiscated during the war to their owners.[49] Describing their approach to Islamist governance, HTS leaders emphasize the importance of remaining consistent with Syria's mainstream religious tradition and mores, rather than imposing more draconian restrictions. [50]

In sum, HTS's more lenient approach to governance seems to reflect years of internal restructuring that left the group with a nearly uncontested leadership that is both pragmatic and reactive to local pressures and that

understands the need to reset HTS's relations with regional and international powers in order to preserve its governance.

HTS and its critics

Despite HTS's evolution, its governance model has a wide range of vocal critics. A lot of this criticism stems from opposition factions who remain bitter over HTS having used force against them to consolidate their military control and governance structures, and by Syrian oppositionists who feel that the HTS takeover has undermined the revolution and given a pretext to Russia and the regime to label its opposition as 'terrorists.' Aside from the Syrian regime and its backers, other hard-line opponents to HTS include many among the Western counterterrorism community who are not ready to entertain the idea of a potentially reformed former al-Qaeda affiliate now operating as a governing actor. Amongst HTS's wide range of critics are also civil society groups who have suffered from the group's autocratic conduct, manifested in frequent detentions of dissidents, and ordinary citizens suffering from deteriorating living conditions. The latter have occasionally staged protests against rising fuel prices, inadequate services, and arbitrary arrests.

HTS has partially warded off criticism of these practices in Idlib by being relatively responsive to the population and by dint of its Islamist outlook, which a wide segment of local population shares, even if they do not share the group's political project. A prominent female activist from Idlib explained how Idlib had not been any less conservative before HTS. 'When Idlib was captured from the regime, most of the women were already wearing niqab [covering their faces]' she said.[51] An HTS member jokingly said, 'you have to remember that we took over Idlib, not Geneva. This has always been a religiously conservative place.' By ensuring a state of relative calm in areas it controls, by ridding the area of competing factions, and by outsourcing day-to-day governance to the Salvation Government, HTS has been able to generate a degree of buy-in from a critical mass of civil servants and technocrats.[52] HTS has also been quick to respond to pressure from the local population and to change course on policies and rhetoric when it faced public backlash. But more importantly, HTS like other non-state actors in Syria, has managed to maintain a degree

of buy-in to its governance project by casting itself as a more merciful alternative than a brutal regime in Damascus.

Conclusion

A former al-Qaeda affiliate governing more than three million Syrians is a bitter pill to swallow. It is understandable that local and international critics remain highly sceptical of the sincerity of HTS's transformation, pointing to the group's autocratic conduct against opponents, the hard-line rhetoric of some of its members, and the continued ambiguity as to how in the medium- to long-term it intends to balance its immediate priority of governing Idlib with its ultimate goal of pursuing jihad to end Assad's reign. Moreover, the fact that HTS is now much less extreme than ISIS, al-Qaeda, or even the Taliban doesn't automatically make it moderate or democratic, and being less bloody than the Assad regime does not make it peaceful.

Scepticism of the group's intentions is merited given its track record, ideological provenance, and history of being affiliated with groups plotting transnational attacks. But the steps it has taken so far, within the context of the near total defeat of Salafi jihadism in Syria generally, suggests that the group is moving in a direction that could become palatable to a variety of outside parties, among them those focused on countering Assad, stabilizing Idlib, and preventing further refugee flows into Turkey, as well as those wanting to suppress transnational threats from the region. While it is politically difficult for any party to explicitly express their tolerance of HTS as a legitimate political actor, HTS's governance could become a reluctantly accepted *fait accompli*.

12

HOUTHI GOVERNANCE
AN EXAMINATION OF ENGAGEMENT WITH TRIBES

Nadwa Al-Dawsari

Yemen has been at war since Houthi rebels, backed by forces loyal to former president Ali Abdullah Saleh, stormed the capital city of Sanaa and overthrew the government of President Abdrabuh Mansour Hadi in September 2014. In the following months, Houthis took control of the entire north of the country and were able to capture Aden, the second largest city in the country that President Hadi declared an interim capital. In March 2015, Saudi Arabia formed a coalition of ten countries and intervened militarily to end the Houthis' coup and reinstate Hadi's government into power in Sanaa. The Saudi-led coalition's military intervention has descended into a quagmire, and, eight years since the war began, the Houthis have emerged as the most powerful military actor in Yemen.

The Houthis, a Zaydi-Shiite rebel group, are currently in control of northern Yemen where the majority of the population live. Their political and military ambition, however, goes beyond the geography they currently control. The Houthis seem themselves as the only representatives of Yemenis and deem other groups as mercenaries for the Saudi-led coalition. They seek to control all of Yemen uncontested. As part of Iran's Axis of

Resistance, the Houthis' long-term goal is to liberate Makkah and Jerusalem.[1]

Yemeni tribes have been an important part of the political calculus of the country. Over decades, tribes have maintained a level of autonomy that prevented the evolution of an authoritarian centralized state akin to that of other Arab countries. This protected tribal citizens against state oppression. During the decades that led to the Arab Spring in 2011, former President Saleh co-opted the tribes and allowed them a level of autonomy (Saleh was a tribesman and a pragmatist after all). However, Houthis view tribes as a threat and treated them accordingly, deploying both co-optation and repression.

The Houthi political ideology is deeply rooted in a religious belief that only *Ahl al-Bayt* (meaning 'people of the house'), a religious term that refers to the bloodline of Prophet Mohammed, have a right to rule over Muslims. They view those who trace their roots to *Ahl al-Bayt* as a superior caste to other Yemenis, including the traditional tribes. The Yemeni term for *Ahl al-Bayt* is *Hashemites* or *Sadah* (plural of Sayyid). Under this politico-religious doctrine, the Imamate, a religious theocracy, ruled parts and sometimes all of Yemen for hundreds of years until it was overthrown in 1962. In its quest to solidify power, the Houthi governance model relies on two main approaches: first, reinstating the absolute authority of the Hashemites over Yemenis; second, taking measures to systematically dismantle and subjugate Yemeni tribes, reducing them to a subordinate status. To achieve this goal, the Houthis developed a highly controversial repressive system akin to the Islamic Republic's Revolutionary Guard (IRGC) in Iran.

This chapter will look into how the dynamics of the relationship between the Houthis and Yemeni tribes evolved as the Houthis continued to gain power. It will first discuss the history of the Houthis and the Zaydi Revivalist Movement and the role and influence Iran has had on the movement, before looking more closely at the specific relationship of the Houthis to Yemeni tribes. It argues that subjugating Yemeni tribes has been a core element in the Houthis' governance system and one that allowed them to exert control of the heavily populated tribal areas in northern Yemen. The chapter demonstrates that Islamist groups like the Houthis can efficiently use a combination of social engineering, religious indoctrination, and violence as a means to strengthen their grip over power.

Who are the Houthis?

The Houthis are Zaydi-Shia armed rebels who have long had a tenuous relationship with the government of Yemen, having fought six wars against the Yemeni government between 2004 and 2010. Since the current war broke out in 2014, much of the literature on Houthis has often been misleading and simplistic. For example, some have conflated the Houthis with the Believing Youth, a Yemeni Zaydi revivalist movement that emerged in the 1980s in north Yemen in reaction to the threat posed by the influx of Saudi-funded and sponsored Salafi education that spread in the northern Yemeni governorate of Saada in the mid-1980s.[2] About 35 percent of Yemenis are Zaydis, and they live mostly in the northern governorates including the capital city of Sanaa. Zaydism is a moderate branch of Shia Islam, often described as the closest Shia sect to Sunnism. About 65 percent of Yemenis are Shafi'is—a moderate school of Sunni Islam. Socially, there are minimal differences between Zaydis and Shafi'is, and both sects lived in harmony for centuries. Politically, Zaydis have controlled decision-making and resources for most of Yemen's history, first during the Imamate and then under former President Ali Abdullah Saleh, who was forced to step down in 2012.

The Believing Youth Forum is a home-grown movement that was founded in the 1980s by Zaydi religious scholars with the purpose of reviving Zaydi tradition and countering the Saudi-sponsored spread of Sunni Islam. The movement gained momentum, particularly in the northern governorates of Saada and Amran. By the early 1990s, about fifteen thousand pupils joined the summer training camps the Believing Youth established in several governorates to teach Zaydism.[3] Houthis follow a stricter and more rigid version of Zaydism called the Jaroudi school. In the early 1990s, many Zaydi scholars agreed to drop the condition that a ruler must come from the bloodline of the Prophet Mohammed. Radical Zaydis including Husayn Al-Houthi insisted that being a descendant of Prophet Mohammed is a precondition for eligibility to rule. This issue became so controversial that it caused a split within the Zaydi revivalist movement that the Houthi leader managed to exploit towards the end of that decade. By the late 1990s, Husayn Al-Houthi, the founder of the Houthi rebel movement, hijacked and radicalized the Zaydi revivalist movement, transforming the Believing Youth Forum into the Believing Youth Organization. The Zaydi

revivalist movement was peaceful, and it did not seek to challenge the government. By contrast, the Houthi rebel group mainly employed violence as a means to bring down the Yemeni government. In 2002, the Houthi rebels started digging trenches and defensive positions in Saada, and in 2004, they picked up arms and fought against the Yemeni government.[4]

Houthis seek to reinstate the Imamate, which grants Abdulmalik Al-Houthi, the leader of the movement, the divine right to rule as a descendent of Prophet Mohammed. This is also inspired by *Wilayat al-Faqih* (the Guardianship of the Jurist), which is a system of governance established by Ayatollah Khomeini following the Iranian Revolution in 1979 in which the ultimate political and religious authority lies in the hands of a supreme clerical leader. Abdulmalik Al-Houthi now has the title of *al-Alam* or *Alam al-Huda*, which translates to 'the icon of guidance,' symbolizing his sacred position that demands unconditional obedience by the people.[5] *Al-Alam* is a reference for matters of the earth and those of religion. Holders of this title must be descendants of Prophet Mohammed, are chosen by God, and cannot be disputed by people.[6]

Like any political Islamist group, the Houthis use religious discourse to promote their political agenda.[7] Houthi ideology elevates Imams (rulers) to a prophet's status, believing they are chosen by God and that humans have no business in choosing or resisting a ruler chosen by the Almighty.[8] The 'Cultural and Intellectual Document' that serves as the manifesto for Houthis states that God has chosen the *Ahl al-Bayt* to lead the Muslim *umma* and to be the guardians of the Quran until the Day of Judgment. Such guardianship entails absolute political and religious authority. 'We believe that Allah has chosen *Ahl al-Bayt*… He made them the guides of the *ummah* and the inheritors of the book [Quran] after the Prophet till the Day of Judgment. He will prepare [someone] for each era who will be a light for His subjects.'[9] Inheritance of the Quran implies monopoly over interpreting the Quran. The document was signed by key Houthi leaders, including Abdulmalik Al-Houthi, in 2012.[10] The following section will discuss the evolution of the Zaydi revivalist movement and how Husayn Al-Houthi, leader of the Houthi rebellion, hijacked, radicalized, and militarized the movement in the late 1990s.

The Zaydi revivalist movement

The Zaydi revivalist movement started in the mid-1980s with Judge Salah Ahmed Falaeetah establishing the 'Believing Youth Union in 1985.'[11] The movement aimed to revive the Zaydi religious traditions that were threatened by the growing influence of Salafis in Saada governorate, north of Yemen. The forum attracted thousands of tribal youths from Saada and other Zaydi areas in the north such as Hajja, Amran, Mahweet, and Dhamar.[12] The Zaydi revivalist movement created momentum among many Zaydis that the Houthi rebellion tapped into and instrumentalized to spread and gain support. Most followers of the movement came from northern tribes who are now the main recruitment pool for the Houthis.

In 1990, the newly unified Republic of Yemen adopted democracy, allowing elections, political parties, and civil society groups to operate. A group of Zaydi leaders formed the al-Haq party in an attempt to increase the influence of the Zaydis in the political process. The Chair, General Secretary, and most party leaders were Hashemites.[13] Among the younger leaders in the al-Haq party were Zaydi scholars of tribal background who founded the Believing Youth including Mohammed Azzan, Saleh Habra, Abdullah Aidhah Al-Ruzami, and Said Al-Qibli.[14] The party was soon to experience a split when its first public statement relinquished the 'Imamate' as a political and intellectual framework for its work, considering it a matter of the past. The statement affirmed that piety is the only condition to rule and that the Muslim *umma* is the source of authorities. The Saada scholars, including the head of the party Majdadeen Al-Mou'ayadi, and Badreddin Al-Houthi who was a founding member of the party, refused to sign the statement because it removed the Imamate as a condition for eligibility to rule.[15] This splinter later contributed to the evolution of the Houthi rebellion.

In 1992, the Zaydi revivalist movement was formally incorporated as the 'Believing Youth Forum' (BYF). Several tribal dignitaries including Abdukarem Jadban and Saleh Habra became part of the movement. The movement then, according to founding member Azzan, aimed to educate the youth culturally and spiritually. It did not have political, partisan, or military objectives.[16]

Similar to what happened with the al-Haq party, serious disagreements emerged among the leaders of the BYF in the mid-1990s due to different interpretations of the curricula used to teach the pupils. The first group was

led by Mohammed Azzan, a founding member of the movement who came from a tribal background. Azzan's wing consisted of reformists who wanted to allow interpretations of religion and were against the notion of the Imamate. Leaders of this group were mainly of Yemeni tribal background.[17]

The second wing was led by Majdadeen Al-Mou'ayadi, who was the head of al-Haq party and a Zaydi scholar. Al-Mou'ayadi believed that the new curriculum designed by Azzan was corrupting the youth in the name of 'tolerance, opening up, and dialogue with the other.'[18] This group strongly believed that descendance from the Prophet must continue to be a precondition for eligibility to rule. The two main figures in this group were the Saada-based Badreddin Al-Houthi and his sons Husayn and Mohammed. It is Husayn who would later lead the rebellion. According to Azzan, this division caused a split within the summer youth education camps—some were now led by Mohammed Al-Houthi and many Hashemite figures, and the others by Azzan and four founders of the BYF, most of which came from a tribal background.[19] By the end of the 1990s, Husayn al-Houthi hijacked the movement, changing its name from 'The Believing Youth Forum' to 'The Believing Youth Organization,' to the exclusion of others who were part of the Zaydi revivalist movement, including the head of al-Haq party.[20]

Iran's ideological influence on the Zaydi revivalist movement

From its inception, the Zaydi revivalist movement was inspired by Iran's Islamic Revolution.[21] Later, when the Houthis seized power in north Yemen, they gradually established ruling methods that mimicked the Iranian model. The Iranian influence shaped Houthis repressive system that has been used to subjugate the Yemeni tribes, transforming them into a reliable pool of fighters that have been instrumental in Houthi military offensives as will be discussed in the following sections.[22]

In 2008, Hassan Zayd told Iranian state news, IRIN, that the Believing Youth leaders were in close contact with Shia leaders in Iran and Lebanon. He added that they used educational materials in their summer camps that included videos and lectures by the Lebanese Shia leader Mohammed Hussain Fadhlallah and Hezbollah leader Hassan Nasrallah.[23] Zayd would

later become the Houthi Minister of Youth until his assassination in October 2020.

The fundamental disagreement between the Zaydi revivalists and the Houthis was in the method of change proposed for achieving their goals. The early movement leaders did not agree with Husayn Al-Houthis' use of violence and his desire to undermine the state. Husayn Al-Houthi and his father Badreddin Al-Houthi were more devoted to importing the Iranian Revolution to Yemen in literal terms, employing mainly violence as a means to achieve their goal. They both studied in Qom in Iran in the mid-1980s, and both spent time between Iran and southern Lebanon during the mid-1990s.[24] In one of his recorded lectures, Husayn Al-Houthi described the Iranian revolution as 'the best example to follow to build the Muslim nation and face the enemies of the West including America and Israel.'[25]

The teachings of Husayn Al-Houthi were described as 'homemade' Twelver Shia [the largest of the three branches of Shia Islam].[26] Maysaa Shujaa Al-Deen, however, argues that Houthi religious ideology is more politically driven and that Houthis use rigid interpretations of the Quran to support their political ideology. She adds that much like how the Iranian regime targeted Shia scholars who were quietists and were not supportive of politicizing religion, the Houthis have also targeted Zaydi scholars in Yemen who may pose a threat to their path to political power. In the late 1990s, Badreddin Al-Houthi issued a fatwa sentencing Mohammed Azzan, a Zaydi scholar and founding member of the Believing Youth, to death for 'straying from Zaydi pillars.' The fatwa forced Azzan to disappear for a year, which allowed Badreddin to prepare for his son to take over the Believing Youth movement in the late 1990s.[27] Today, some Zaydi scholars who were critical of the Houthis have been rounded up and thrown in the group's secret prisons.[28]

According to Luca Nevola, Husayn Al-Houthi 'developed an original politico-religious thought' introducing ideas alien to Zaydi tradition such as the principle of direct access to the Quran, which led a number of Zaydi scholars to distance themselves from him.[29] In the late 1990s, the curricula used to teach pupils were modified and approved by Badreddin Al-Houthi to ensure the Imamate remained a condition. By then, the movement had already gained many supporters, and the number of students studying these curricula in dozens of centres in Saada and nine other governorates had

reached 18,000 students.[30] Between 1999 and 2004, the Believing Youth conducted activities under the stewardship of Husayn and his colleagues, which involved viewing films from Hezbollah and the Iranian Revolution.[31]

Husayn Al-Houthi's attempts to turn the movement into a political group with militant tendencies came under heavy criticism from Zaydi scholars. According to Mohammed Azzan, he and other Zaydi scholars parted ways with Husayn Al-Houthi and his group in the late 1990s because Husayn wanted to 'neutralize the youth,' conditioning them to be followers and depriving them from the right to think and interpret freely as Azzan and his reformist groups wanted.[32] Azzan describes Husayn's teachings as being radical in that they depict the ruler as an extension of God and accuse Zaydi scholars who are against the Imamate of seeking to weaken Zaydism. Azzan and others criticized Al-Houthi for taking up arms against the government, for demanding to have a 'special treatment' that was distinct from other citizens, and for his violent nature.[33] 'He was obsessed by confrontation with whomever: the Wahhabis, the state, another enemy, an oppressor, and oppressive tribe. He was obsessed by confrontation,' Azzan said about Husayn Al-Houthi. Azzan was concerned that Husayn wanting to force his ideology through violent means would diminish the state.[34]

Husayn's lectures have become the curriculum that Houthis use to indoctrinate their followers. They are centred around the importance of jihad against America and Israel, the rejection of reforming religion, and the need to preserve the unity of Muslims by avoiding democracy which he deemed 'an alien concept whose end goal is to allow Jews to rule over Muslims.'[35]

Beyond ideology, Iran supported the Houthis with training, military strategizing, and weapons, thereby greatly improving their military capabilities and overall threat. By 2014, a few hundred IRGC and Hezbollah military personnel were in Yemen training Houthi fighters. That same year, a hundred Houthis trained at an IRGC base in Qom.[36] With the help of Iran, the Houthis transformed from a militia that relied mainly on small-arms ambushes to a military power to be reckoned with and one that posed a security challenge in the region.[37] Iran's influence strengthened the Houthis' militant tendencies, directing them towards a shared political and ideological goal in line with the Islamic Republic. The Houthis are now an established member of Iran's regional network of militias known as the

‘Axis of Resistance.’[38] This would come to define the Houthis political ambitions, the way Houthis conducted themselves, and how they interacted with other Yemeni actors including the tribes.

Internally, the Houthis ‘constructed a regime that corresponds to their aspiration to emulate the Iranian revolutionary system,’ according to Mohammed Almahfali and James Root.[39] The Houthis developed a highly repressive security system akin to the Islamic Republic’s IRGC. In September 2019, the Houthis abolished Yemen’s intelligence bodies, the National Security and Political Security, collapsing them under a new security body they called the Security and Intelligence bureau.[40] They also created a parallel security apparatus they called Preventative Security (al-Amn al-Waqa’i), which the UN panel of experts on Yemen describes as the most influential intelligence apparatus in Houthi-controlled areas. It operates outside state structures and reports directly to Abdulmalik Al-Houthi.[41] Sources indicate that Iranian and Hezbollah trainers helped establish the Preventative Security first in Saada before expanding it to Sanaa. The apparatus played a critical role in eliminating the Houthis’ former ally Saleh and his political and military loyalists.[42] Working through a network of supervisors through the north, the entity’s job is to protect the Houthi regime by preventing infiltration, arresting Houthi officials who may engage in subversive acts, and suppressing any potential dissidence. Houthis also formed a female intelligence apparatus they call the *zainabiyat*, who are responsible for searching women and homes, indoctrinating women, and maintaining order in female prisons. These apparatuses have been responsible for employing harsh repressive methods to detect and quell opposition.[43]

The militarization of the Believing Youth movement

Inspired by the Iranian Revolution, Husayn Al-Houthi militarized the Believing Youth movement. In 2002, following the 9/11 terrorist attacks, the Believing Youth Organization adopted the Iranian Revolution slogan ‘Death to America, Death to Israel, Curse the Jews, Glory to Islam.’ The slogan came to be known as *Al-Sarkhah* (The scream). Al-Houthi’s followers started chanting Al-Sarkhah after each prayer and painted it on walls of mosques, buildings, and roadsides.[44] Local sheikhs reported that

Houthis started digging trenches and stockpiling weapons around their stronghold in Marran and Dahyan in Saada in the years leading to 2004.[45] Husayn mobilized his followers against then-President Saleh, painting him as corrupt, an agent, and illegitimate. He informed them that clashing with Saleh was imminent. He then called upon his followers to buy weapons and used religious events like *Ashura* and *Al-Ghadir* to mobilize supporters.[46] The organization made owning a gun a precondition for applicants to be accepted as members. The number of pupils increased to 15,000 students, and the number of centres grew to 60 in Saada governorate alone. As a result, the government accused the Houthis of trying to establish a Shia theological state in Saada to revive the Imamate.[47] In 2002, Husayn Al-Houthi's lectures became the bulk of the religious material that Houthis used to teach their followers, elevating him to a sacred level, a move which was criticized by some prominent Zaydi scholars.[48]

Not only did the Houthis radicalize the Zaydi revivalist movement but, as Maysaa Shujaa al-Deen explains, the group continued to monopolize the representation of the Zaydi movement in Yemen to legitimize itself and eliminate competition.[49] For example, Husayn Al-Houthi tried to take control of another Zaydi centre, the Badr Scientific and Cultural Centre, that was established by Zaydi scholar Al-Murtadha bin Zaid Almohatwari. The centre was active both in the Grand Mosque in Sanaa and in Saada. It was one of the most important Zaydi platforms. In 2003–2004, Husayn's followers started conducting rallies inside the centre, shouting their *sarkhah.*[50] In 2004, Husayn and his followers picked up arms and fought the government between 2004 and 2010, later became known as the six Saada wars.[51] Husayn Al-Houthi was killed during the war in Saada in 2004.

Indeed, the use of violence has become the main tool for Houthis to achieve their political goals. By November 2012, the Houthis managed to capture the entire governorate of Saada and parts of adjacent governorates Amran, Hajja, and al-Jawf. The group was part in the National Dialogue Conference (NDC), a key component of the political transition process in Yemen that took place during 2013–2014 following the removal of former President Ali Abdullah Saleh from power. However, they simultaneously continued to expand militarily, albeit this time with support from Saleh himself. This pragmatic choice was calculated by the Houthis—both Saleh

and the Houthis wanted to undermine their common enemy, the Islah Islamist party, which now had heavy influence in Hadi's government. In 2014, the Houthis allied with former President Ali Abdullah Saleh to defeat their common enemies: Army General Ali Muhsin and the Islah party who helped push Saleh out of power in 2011 during the Arab Spring. Backed by military forces and tribal sheikhs loyal to Saleh, the Houthis captured the capital city of Sanaa, toppled the government of president Abdrabuh Mansour Hadi, and took control of most northern areas with ease. In 2017, they executed Saleh, which allowed them to eliminate competition and established a solid control of north Yemen. Saleh's death marked a new era where the tribes no longer enjoyed autonomy and mutual cooperation with the state. While Saleh treated tribes as allies, the Houthis now treat them as subordinates and see them as both a threat and a tool to help them achieve their political and military objectives.

The Houthis and tribes

Historically, the al-Houthi family had influence amongst tribes in Saada. The founder of the Houthi movement came from a socially and religiously respected Sayyid family (the local word used for Hashemites), which granted him credibility and influence among tribes.[52] Sayyids are traditionally known for their ability to help resolve disputes. Much like former President Saleh, Houthis, however, instigated and exploited tribal conflicts when it served their purpose.[53] To strengthen their relationship with tribes, Badreddin Al-Houthi and his son Husayn married women from prominent tribal families. For example, Yusuf al-Madani, a tribesman from Saada and Houthi field commander, is married to Husayn Al-Houthi's daughter.[54]

Houthis were able to establish support amongst tribes in Saada by tapping into the widespread resentment against the Saleh regime, which was controlled by the Hashid tribe mainly based in Amran governorate. During 2004–2010, the war in Saada was commanded by President Saleh to Army General Ali Muhsin Al-Ahmar, who was Saleh's right hand and was also from the Hashid tribe. Resentment against the Hashid-controlled regime in Sanaa runs deep among the tribes in Saada who belong to the Bakeel and Khawlan bin Amer tribes, as both confederations were side-lined by the

Hashid-controlled government and army for decades.[55] That sentiment played into the hand of the Houthis.

In 2007, the Saleh government started recruiting tribesmen as irregular militia to help the Government of Yemen fight the Houthis. Many of these tribal sheikhs held senior military positions as part of Saleh's patronage system that helped him neutralize or maintain loyalty among tribes. Some sheikhs were simply frustrated by the continued fighting in their areas, so they chose to throw their lot in with the Government of Yemen.[56] But many tribal sheikhs refused to join the fight because they did not trust the government. In 2007, Sheikh Abdullah bin Hussain Al-Ahmar, the speaker of the parliament and the paramount sheikh of Hashid and Bakeel, sent a letter to Saada tribes asking them to assist in the fight against the rebels who want to reinstate the Imamate and end the Republic.[57] Saada Sheikhs responded by asking him to take care of the enemies of the republic inside the Presidential Palace. In their response, they pointed to Saleh's attempt to pass power to his son and treatment of Yemen and its military as his family's property.[58]

Corruption and mismanagement of the war further fuelled this distrust in Saleh's government, which played into the hands of Houthi rebels. According to one tribal leader, the war had become an opportunity for regime elements to profit: 'An operation would cost a hundred million riyals, but they would ask for a billion and pocket it,' he said.[59] Ali Muhsin, then the commander who led the fighting in Saada, also recruited tribesmen from outside the governorate, particularly from the Hashid and Bakeel tribes, leaving Saada tribes out. Some sheikhs such as Othman Mejalli fought the Houthis fiercely only to be abandoned by the government when they needed its support most and were left to face the wrath of Houthis alone.[60] 'They fought hard but, with no support, they decided to withdraw leaving their homes and property behind. Houthis blew up their homes and burned their farms and those sheikhs ended up displaced,' said a prominent tribal leader from Saada who faced the same fate in 2011.[61]

Resentment towards the Saleh regime had grown even stronger because of the civilian casualties and destruction of homes and property caused by government offensives during the Saada wars. Houthis capitalized on this growing resentment and, in doing so, started expanding their support base by recruiting among tribes, specifically targeting tribal children between

ages 13 and 18.[62] They would then put these children through a three-week religious course and provide them with MP3 lectures and *zawamil* (religious songs that raise morale among fighters and motivate others to join the fight) that reinforced the Houthis' political and sectarian ideology. 'This brain washing created good assets for the Houthis among local tribes,' according to a local sheikh. Houthis lured those young men with money and the opportunity to take leadership roles with the group. They were conditioned and became effective at using extreme violence on behalf of the Houthis. Using this method helped the Houthis isolate tribal leaders and reduce their influence among their constituents and, consequently, increase their own.[63] As one tribal leader from Saada explained, 'Houthis controlled Saada with their recruits who come from local tribes, and they used them to expand into and control other governorates.'[64]

Like Saleh, President Hadi too had left the tribes to face the Houthis alone with no support. In 2014, Hadi and his Minister of Defense failed to send backup to rescue the al-Ahmar family as they fought to stop the Houthis from capturing Khamer, the hometown of sheikh Sadeq Al-Ahmar, the paramount sheikh of the powerful Hashid tribe. Hadi had wanted the Houthis to weaken the al-Ahmar family, whom he viewed as a competition to his rule.[65] This led the tribes around Sanaa to realize Hadi's government would not support them against the Houthis. Fearing a fate similar to what the tribes faced in Saada, tribes around Sanaa, commonly known as the Belt Tribes, chose not to resist the Houthis as they advanced towards Sanaa.[66]

Restoring Hashemite dominance

Central to the Houthis' strategy to strengthen their grip on power is reinstating the caste system that existed during Yemen's centuries-long Imamate, which favours Hashemites and gives them a preeminent social status and political role. Hashemites claim descent from the Prophet Mohammed and originate from Makkah. Historically, Al-Hadi al-Rassi, a Hashemite dignitary from Hijaz, accepted an invitation by Yemeni tribes to mediate between fighting tribes. In return, the tribes promised him loyalty and allegiance. Al-Hadi established the Imamate in Yemen, with Saada governorate as its base, in 896 AD.[67] The Imamate ruled parts, and sometimes all, of Yemen for a thousand years until it was overthrown in

1962. Imam Hadi established the Imamate as a political system and made it an integral part of the Zaydi tradition.[68]

Socially and by choice, Hashemites did not integrate into the tribal structure, and, for centuries, they only married women from tribal families to strengthen their positions socially.[69] Until the 1962 revolution and sometime thereafter, they were at the top of the social hierarchy, followed by 'judges' and then tribes. They enjoyed privileges among tribes who cherished them out of respect to the Prophet Mohammed. Under the tribal system, Hashemites are considered *hijrah,* a tribal term that refers to groups that are entitled to protection from the tribes.[70] After the 1962 revolution, Zaydi Hashemites lost power but many of them still held important government and military positions. They were also able to organize politically as the government loosened restriction after adopting political pluralism in 1990.[71]

Since they came to power in 2014, the Houthis took decisive steps to restore the dominance of the Hashemites over power and resources. In areas they control, Houthis sacked officials and government employees and replaced them with Hashemites who now control key leadership and decision-making positions at all levels.[72] In June 2020, the Houthis issued a law directing the revenues of a 20% tax on natural resources, such as the oil, gas, and fishing industries controlled by *Bani Hashim* (an Arabic term for Hashemites).[73]

At the governorate and district level, Houthi *moshrifeen* (supervisors) hold power over the local authority, security, and justice institutions, as well as over tribes. They nominate appointees for local positions, including security agencies and the judiciary. Houthi supervisors are part of the Houthis' preventative security, which reports directly to Abdulmalik Al-Houthi. The supervisors are usually from Hashemite families, are ideologues, and come mainly from Saada and Hajja. There are supervisors in each district who report to a governorate-level supervisor. A Houthi supervisor's role is to keep the tribes in check and report any potential rebellion or discontent. They even decide who mediates tribal conflicts, thus gradually stripping sheikhs of their traditional justice role. Over the past six years, tribal leaders lost power and influence as they have been side-lined by Houthi supervisors.[74]

Houthis rely on Hashemite families in tribal regions to help them with recruitment and keep the tribes in check. These Hashemite families include Sayyan and Aal al-Muta'a in Sanhan, the al-Kibsi family in Khawlan, al-Ashraf in al-Ghail in al-Jawf, the Riyam clan in al-Baydha, al-Musqah in Ibb, and al-Sarari and al-Junaid in Taiz, among others. Individuals from these families are incorporated into the Houthis' security apparatus. The Houthis rely on intelligence from these individuals to make decisions about recruitment and responses to potential opponents.[75]

Subjugating the tribes

The Houthis came to realize that strong tribes would possess a threat to their ability to establish their theocracy. Tribal leaders from Yemen's largest tribal confederations Hashid and Bakeel played a critical role in overthrowing the Imam in 1962. They also played an important role in quelling the revolution against the Imams in 1948.[76] Therefore and from the beginning, the Houthis have systematically worked to subjugate and dismantle the tribes. This process was done gradually for two decades and became more aggressive over time as the group gained power. The Houthis would first build support among tribes by propping up tribal leaders. As they start capturing areas, they then would side-line those tribal leaders and replace them with Hashemites.

When Houthis started building their support base in Saada in the early 2000s, they would send ten of their well-trained men to each tribe. Some of those men provided religious education and others training in tactical fighting. All the men used aliases. Over time, these Houthi cadres were able to instil ideas of jihad among local tribes, particularly young people. This process was made possible with the support of sheikhs from tribes who were appointed as commanders by the Houthis at the beginning of the rebellion in the mid-2000s. But as the Houthis captured areas during the Saada wars, they replaced tribal leaders with Hashemites. When they kept them as commanders, the position was symbolic, and the sheikhs did not have real power to command and control fighters. This occurred among key tribes such as Hamdan bin Zayd and Khawlan bani Amer. It was one of the reasons behind the conflict between current Houthi leader Abdulmalik Al-Houthi and Abdullah Al-Ruzami who refused to participate in the fourth and six wars because Al-Houthi replaced him with a Hashemite.[77]

When they took control of all of Saada governorate in 2011, the Houthis targeted tribal sheikhs who sided with Saleh's government during the six wars. The properties, including houses, farms, shops, and real estate that belonged to those sheikhs were looted, occupied, or destroyed by the Houthis. The majority were killed or displaced as a result.[78] In 2014, Houthis pushed into Khamer, hometown of the al-Ahmar family, and clashed with their tribe, the al-Usaymat tribe. Under al-Ahmar leadership, al-Usaymat participated in the six wars against the Houthis. The Al-Ahmar family also played a critical role in overthrowing the Imam in 1962. The fighting resulted in Houthis capturing Khamer and blowing up al-Ahmar's home, a symbolic act signifying a major blow to the powerful family and to the Hashid tribe as a whole.[79]

In addition to power, weapons, and security apparatuses, the Houthis also inherited Saleh's patronage network, which included many tribal leaders of northern tribes. By the time Saleh was killed, the Houthis were far too established and in control for the tribes to challenge them. But Houthis understand the symbolic significance of tribal support, so they created their own parallel tribal structures that gave them a perceived legitimacy while at the same time helping them reinforce their control over tribes. They co-opted some tribal leaders by offering them financial incentives and government positions. Key examples included Dhaif Allah Rassam of the Sanhan tribe, Khaled al-Qairi of the Khawlan tribe, and Abdulsalam Hashwal from Saada. They created a Tribal Cohesion Council formed of tribal dignitaries and led by Dhaif Allah Rassam who was appointed by the Houthis as the head of the council and without tribal approval.[80]

To undermine sheikhs of questionable loyalty, Houthis propped up new sheikhs, sometimes from among younger tribal leaders, supporting them with guards and weapons so they could establish influence by solving problems in their communities.[81] They also propped up loyal individuals against more influential ones that they did not trust. For example, in the Khawlan tribe. they supported Sheikh Khaled Al-Qairi against the influential sheikh Mohammed Naji al-Ghader (al-Qairi tried to raid al-Ghader's home on the Houthis' behalf). Some tribal leaders loyal to Saleh also accepted symbolic positions with Houthis, not necessarily out of

loyalty, but to maintain their status in their communities and out of fear the Houthis would eliminate them if they did not.[82]

Following the capture of Sanaa, the Houthis were able to consolidate their position and control over the military, security, and government institutions. Tension between Saleh and the Houthis brewed during 2016 and 2017, leading to brief clashes in the capital that ended with the Houthis' execution of Saleh in December 2017. Saleh commanded respect among northern tribes, and his execution created deep resentment towards the Houthis among those tribes. The relationship between the Houthis and the tribes significantly worsened after Saleh was killed, 'igniting a cycle of revolts and repression,' as Andreas Carboni puts it.[83] Sporadic tribal rebellions took place, including the rebellion in Hajour tribes in Hajja in the spring of 2019 and in Radman Aal Awadh in Baydha in the summer of 2020.[84] But the Houthis were able to harshly quell these rebellions using extreme methods against those who did not succumb to their demands.[85] In Hajour alone, the Rights Radar human rights organization documented 20,561 human rights abuses by the Houthis against local tribes including executions, physical assault, abductions, enforced disappearances, and enforced displacement, in addition to destruction of civilian homes and property.[86] Over 40 tribal leaders have been executed or assassinated by the Houthis since 2015, many of whom initially helped the rebels take control of Amran and Sanaa in 2014 and recruited fighters for them in the years to follow.[87]

For now, the Houthis might have been able to keep the tribes in check. However, as Adel Dashela, a Yemeni analyst and tribesman from Amran explains, 'the loyalty of the tribes is not a given, and Houthi methods of tribal control may ultimately backfire, leaving the Houthi movement friendless in a hostile environment.'[88]

Indoctrinating tribal youth

By neutralizing their influence and isolating tribal leaders, the Houthis were able to spread their ideology among the younger generation in tribal areas. Capitalizing on the resentment against the Saudi-led coalition and exploiting the widespread poverty among northern tribes that has been exacerbated by the war, this indoctrination helped the Houthis recruit many

tribal fighters. Houthis have a rigorous national strategy they call the ‘general mobilization’ to recruit support for their fight. Central to this strategy is mandating ‘cultural courses’ for employees in all government institutions they control. The cultural courses are largely based on the recorded and transliterated lectures of the movement’s founder Husayn Al-Houthi and geared to garner loyalty by using religious discourse.

The courses heavily preach about *Al-Wilayah* (Guardianship), a pillar in Shia Islam that refers to one of the last speeches of Prophet Mohammed in Ghadeer Khom between Makkah and Madinah. The theory argues that the prophet endorsed his son-in-law bin Abi Talib as his successor. Shia use that reference as evidence that the prophet intended to appoint Ali as his successor and for Muslim rulers to come from his bloodline. It deems the three Caliphs that ruled between Prophet Mohammed’s death and Ali’s takeover as illegitimate.[89] Houthis celebrate this concept under Eid Al-Ghadir every year and on a large scale to reinforce that message. In today’s context, this discourse calls upon Yemenis to line up behind the current leader of the movement Abdulmalik Al-Houthi whom they describe as the ‘heir to the daughter of Prophet Mohammed Fatima and his son-in-law Imam Ali.’[90]

Students, teachers, health workers, and employees from various government authorities, security, and military are forced to attend these courses.[91] Those who fail to attend are subject to punishment including salary cuts, losing their government job, and even imprisonment.[92] Tribal sheikhs are also put through similar courses.[93] Trainees are taken to an isolated environment, sometimes a basement, and attendees are not allowed to leave the room until after the training is finished. Training courses last a week or weeks and include extensive lectures focusing on Husayn Al-Houthi writings and lectures, Houthi religious ideology, glorification of the war, and mobilizing the populace to support their war effort.[94]

The Houthis have systematically used four key methods to indoctrinate tribes and Yemenis in areas they control. First, they took control of mosques, even at the village level, and installed their own preachers. Mosque lectures are based on scripts from the Houthi-controlled Ministry of Endowment, the Yemeni government body that regulates mosques. The scripts were carefully developed to endorse the Houthi political agenda backed by heavy religious discourse.

Second, they took control of the education sector, dismissing administrators from the Ministry of Education and replacing them with their own loyalists.[95] The education minister in the de facto Houthi authority is Yehya al-Houthi, brother of Houthi leader Abdulmalik al-Houthi. They then gradually introduced their own sectarian ideas into the curriculum, preaching obedience to *Ahl al-Bayt* and glorifying the founder of the movement, Husayn al-Houthi.[96] According to the head of Teachers Union, Yehya Al-Yinai, the new curriculum introduces the ideology of the Khomeini's revolution in Yemen through public education.[97]

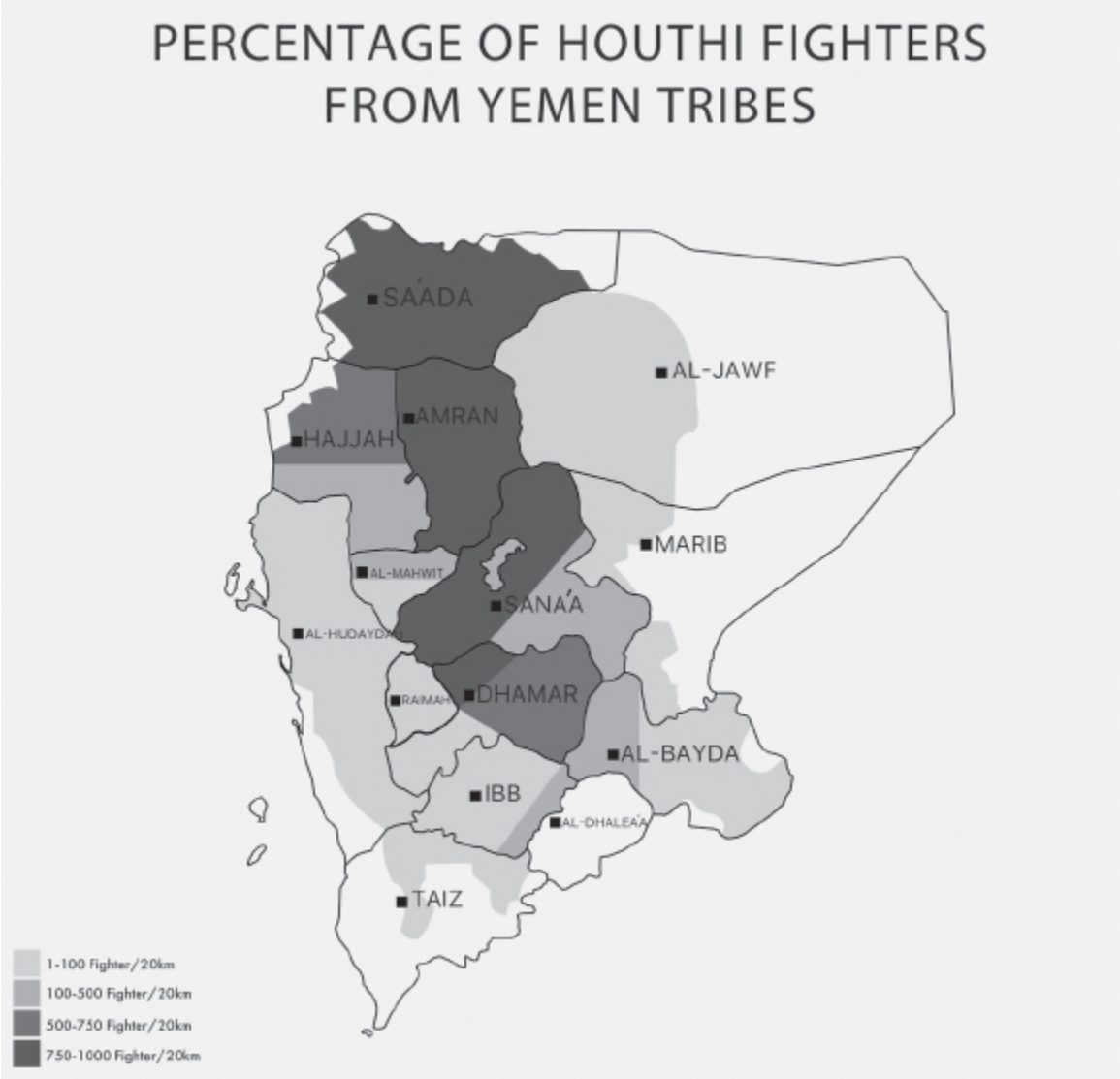
In most tribal areas, according to a political analyst and tribesman from Amran, schools are closed, and the only available educational tools for children are the *malazem* (religious literature) of Husayn Al-Houthi.[98] Houthis also conduct public and private events regularly as well as summer camps preaching '[religious] knowledge and jihad' to encourage students to join their fight.[99] Under the pretext of 'combating intellectual and cultural conquest,' they force schools to celebrate religious occasions such as Eid Al-Ghadir and the Day of the Martyr and to recite their slogan.[100] They also mandate religious lectures by their preachers at weddings and funerals.[101]

Houthis also lure children from mosques and schools and put them through sectarian courses without their families' knowledge. 'Sometimes their families realized when their children are already in a frontline, caught by government forces, or are killed,' says a Yemeni analyst from Amran indicating that most who are recruited using that method are usually between 13 and 15 years old.[102] 'It is like indirect kidnapping. The families of the children have no option but to show loyalty by blessing it since their children are already recruited regardless [of their consent],' says a sheikh from Khawlan.[103]

The third method the Houthis use to indoctrinate tribes and Yemenis in areas they control is their use of *zawamil*, which are religious songs composed to raise morale among fighters and motivate others to join the fight against the Saudi-led coalition. They use mosques, schools, TV, radio, and social media to broadcast these songs. 'For six years now, Houthi *zawamil* are playing most of the day, every day, in mosques and schools. Eventually it starts making sense to people,' a political analyst from the northern tribal area of Amran said. He added that more educated and affluent families (who are in the minority) prevent their children from

attending mosques or schools where this happens. However, most people who are poor and illiterate let their children go there, where they become easy recruits for the Houthis.[104]

Fourth, the Houthis effectively use media outlets including TV channels they own (such as al-Maseera) and FM radio that is available at the governorate and district level to broadcast repeated messages, using stories and news about airstrikes that kill civilians to fuel tribal anger against the coalition. They also use videos and photographs of war tragedies and victims in events they organize regularly in mosques and schools to mobilize tribes and encourage them to fight. For example, Houthis were able to mobilize fighters from most areas in Dhamar, taking advantage of public anger after a coalition airstrike killed 43 civilians in a wedding in Sanaban there in October 2015.[105] After an airstrike killed 100 and left 500 injured in a funeral hall in Sanaa, the Houthis called for a tribal *nakaf* (a general call to mobilize fighters) among the Khawlan tribe, which many of the victims came from, and were able to recruit 10,000 fighters.[106]



Map 1: Percentage of Houthi recruits in tribal areas per 20 governorates

Conclusion

Since they captured the capital city of Sanaa in 2014, the Houthis have managed to establish a highly efficient Islamic governance system. This system is defined by their political ambition rooted in religious belief that descendants of Prophet Mohammed have a divine right to rule over Muslims. Inspired by the Iranian Revolution, the Houthis adopted violence as a means to capture power. They employed strong religious discourse and mass indoctrination of the population to legitimize their political ambition.

Additionally, they imported the IRGC's highly securitized and repressive system to control the population.

Houthis understand that Yemeni tribes, which make up the bulk of the population in the north, may pose a threat to their ability to establish their theocracy. Yemeni tribes are fairly autonomous, and their support was crucial to the success of the 1962 revolution that overthrew the Imamate, a theocracy the Houthis are working to revive. To strengthen their grip on power, the rebel group has relied on two main strategies. First, they worked to restore the dominance of the Hashemite caste over political, civilian, intelligence, and military institutions. They were able to achieve this by removing previous officials and personnel and replacing them with their loyalists, mostly Hashemites. Second, they took measures to systematically weaken and subjugate the tribes.

The Houthis developed highly efficient parallel security apparatuses that allow them to detect, trace, and eliminate opposition. Their preventative security apparatus, which reports directly to their leader, deploys supervisors at the national, province, and community levels. These supervisors are ideologues loyal to Abdulmalik Al-Houthi, and they hold power over government institutions and tribes.

Whenever possible, the Houthis co-opted tribal leaders and manufactured tribal structures that were manipulated to support their cause while signalling support among tribes. But mostly, they used systematic and highly repressive tactics including executions, forced disappearance, and destruction of personal and private property that belonged to tribal figures to strip them of their power and influence.

The Houthi rebel group is gradually and successfully isolating many tribal leaders from their populations. Meanwhile, they are engaging in ideological and political mass indoctrination using schools, media, social media, and mosques to recruit and develop support among tribal youth and children. Their rigorous propaganda and religious education aim to change the mentality of the younger generation gradually while weakening tribal cohesion. Ultimately, this will help the Houthis dismantle the tribal structure and control the local populations in tribal areas. It will also allow the Houthis to eliminate perceived threats to their authority and maintain a steady and reliable pool of fighters to fuel their war. This will motivate the Houthis to continue their military escalation inside and outside of Yemen.

13

JAMAAT-E-ISLAMI

CAPITALIZING ON SOCIAL WELFARE WORK IN PAKISTAN

Tehmina Aslam Ranjha

Jamaat-e-Islami (JI) is one of the main religious parties actively involved in the national politics of Pakistan. The JI party was the brainchild of Maulana Sayed A'la Maududi, who founded the party in August 1941 in Pathankot (Gurdaspur), East Punjab, India in his yearning for pan-Islamism. After the partition of British India in 1947, he decided to migrate to West Punjab in Pakistan to continue this pursuit there.

Born on 25 September 1903 in Aurangabad, Sayed Abul A'la Maududi aka Maulana Maududi remained a fez-wearing modernist in his youth, and after World War I, he wrote an acclamatory biography of Mohan Das Karam Chand Gandhi who supported the Khilafat movement (1919–1922).[1] This was a pan-Islamist political protest campaign launched by Muslims of British India to restore the caliph of the Ottoman Caliphate and promote Muslim interests. In 1922, Maududi began working for *Muslim*, a magazine of the Jamiat Ulema-e-Hind (council of Indian scholars), which supported the Ottoman caliphate and the Khilafat movement.[2] Turkey and its caliphate inspired Maududi, who translated an Arabic book *al-Masala al Sharqiyah* ('The Eastern Question') written by Mustafa Kamal Ataturk. It was at this time that Maududi became a staunch advocate for pan-Islamism.[3] After the

end of the Khilafat movement in 1922, a section of ulema led by Maulana Hussain Ahmad Madani and followed by Maulana Abul Kalam Azad led the consequent pro-Congress group of ulema.[4] Nevertheless, with the abolition of the caliphate on 3 March 1924, Maududi rethought his political priorities and began worrying about the future of India's Muslims. Maududi believed that democracy would not be beneficial for the Muslims because Maududi held that Allah sent his prophets to establish a state. Under the influence of Hegel and Marx, Maududi read Islamic history anew.[5] Maududi remained influenced by and associated with Allama Mohammad Iqbal, a South Asian Muslim writer, philosopher, and politician, whose poetry in the Urdu language is considered among the greatest of the twentieth century, and whose vision of a cultural and political ideal for the Muslims of British-ruled India was to animate the impulse for Pakistan.[6] By the eve of World War II in 1939, Maududi had begun believing that the interests of the Muslims were best served by a mass movement led by religious scholars.[7]

In March 1938, Maududi moved to Pathankot (Gurdaspur), founded Madrassa Dar-ul Islam, stopped wearing the fez, and began growing the beard, symbolizing the reorientation of his vision.[8] Later in 1938, Madani wrote a book, *Muttahida Qaumiyat Aur Islam* ('Composite Nationalism and Islam'), which floated the concept of composite nationalism, or reconciling Muslims with Hindus in a united (independent) India, vis-à-vis the division of India.[9] Maulana Maududi also supported this concept coined by Madani.[10]

To support his argument opposing religion-based political divisions, Madani quoted verses from the Quran to convince readers that the act of harmonious coexistence with non-Muslims was in the service of Islam.[11] Further, Madani expressed that India's partition was purely a political demand to grab power and that the demand was unjustified religiously.[12] In the aftermath of the release of Madani's book, there emerged two schools of thought: first, those yearning to practise Islam in an independent but united India; and second, those longing to practise Islam in a separate homeland by dividing India.[13]

The concept of composite nationalism seized the attention of Muslims in the newly formed Pakistan, thereby transforming many of them into nationalist Muslims opposing both the two-nation theory and the idea of

India's partition.[14] As a supporter of composite nationalism, Madani was averse to the division of India based on religion (as religious partition).[15] Maududi and his political party Jamaat-e-Islami followed the first school of thought, i.e. practise Islam in an independent but united India.[16]

The JI was originally conceived of not simply as a political party, but also as the nucleus of a holy community centred on composite nationalism. Once the Jamaat lost the fight against partition and became focused on the struggle over Pakistan's constitution, Maududi's party would begin its activism on the grounds of social welfare. The JI would use social welfare work (ranging from running hospitals and arranging blood donations, to running schools and arranging marriages of orphans) to maintain relevance, gain political mileage, and influence the ruling elite. The party focused on the deprived sections of society and tried to cater to their economic needs, treatment, and education. Through mass mobilization, the party achieved occasional successes in meeting its religious-political objectives.

Socialization through social welfare work enables the party to influence public opinion to advance their agenda on Islamic law in Pakistan. The Jamaat-e-Islami approach to community and civic engagement helps socialize its recipients with the JI agenda. The facade of religious duty and the service provisions of welfare serve as sources of political and religious indoctrination. Welfare organizations, notably educational institutions such as madrasahs operated by JI's welfare wings, are likely to absorb their ideology and thus endorse their political agendas.

The aim of this chapter is to better understand the rationale for JI's social activism. The chapter will examine social work with a focus on four themes: social work as a religious duty; as a mode of engaging the public; as a method to influence ideology of the public; and as a part of a political strategy. This chapter is an attempt to explore how the JI adopted social welfare provisions as an organizational effort to secure political space.

The establishment and early years of Jamaat-e-Islami

On 23 March 1940, Mohammad Ali Jinnah delivered his famous address known as the Lahore Resolution and demanded a separate homeland for Muslims by dividing the Indian subcontinent.[17] Maududi was opposed to Jinnah's concept of Pakistan as a separate secularist state.[18] He also rejected

Jinnah's stance on Muslim nationalism—the basis of the two-nation theory.[19] Yet Maududi had no political platform to raise his objections, so consequently, on 26 August 1941, he founded the JI at Dar-ul Islam, Pathankot, India.[20]

Ultimately, Maududi opposed Jinnah's vision of Pakistan as a separate secularist state.[21] On 26 April 1947, addressing a gathering of Madrassas (or Madaris), religious schools or colleges for the study of Islam, Maududi recognized that Hindustan (India) would soon be divided into two independent states (or dominions)—one possessed by Muslims and the other by a non-Muslim majority. In the state allocated to the Muslims, he argued, 'we would try to smooth out the public opinion in favour of the constitution and law to construct the state's foundations on the line of divine constitution and law in which we Muslims have faith.'[22]

On 30 August 1947, along with his companions, Maududi reached Lahore, West Pakistan. Shortly afterward, the JI opened its branches in East Pakistan.[23] Maududi believed that Islam should be central to the new state's political and economic systems and that the application of sharia (Islamic law) was a panacea to all ills of the nascent state of Pakistan.[24]

Through his writings, Maududi remained focused on the establishment of an Islamic order.[25] Maududi was of the view that the Muslim polity could not be subject to popular will alone; it must be governed by sharia as well.[26] Others extended Maudaudi's Islamist political ideology, Islamism, to the Islamist political movement pan-Islamism, which meant that Islam should be the guiding principle not only for a Muslim's personal life but also for the social, political, and economic spheres as well.[27]

The idea was that the state should support people to embrace Islamic values, implement Islamic law in their personal lives, and propagate Islamic principles to the people.[28] The same ideas are followed by the JI today. Islamist ideas gathered steam, and the idea of an imaginary Muslim world soon emerged, the unfilled agenda of which was pan-Islamic solidarity. The JI yearns for both Islamism (at the nation-state level) and pan-Islamism (at the global level). The method they opted for to advance these ideals among the Muslim polity was the provision of welfare work and social-civic engagement. To that end, the Jamaat became involved in a wide range of welfare and charitable activities, including emergency relief, education, and

orphan and ration support. They eventually established a country-wide network of specialized welfare organizations dedicated to varied social work. These organizations are registered separately from the party itself under the regulations governing NGOs in Pakistan, but their members maintain close links with the political wing of JI.

Examples of the Jamaat's social welfare work can be found as early as the 1950s. During the period from 1954 to 1955, the Jamaat spent about 260,236 rupees on medical aid followed by 303,325 rupees in 1955–56 to provide services to 1,837,430 people.[29] In 1957, the Jamaat established 60 dispensaries for free medical treatment and check-ups.[30] The Islamic Research Academy, which was founded in 1963, is a think tank ideologically affiliated with the Jamaat. In addition to offering religious teaching to underprivileged students, the academy runs a publishing house that releases books and research articles in line with the ideology of the Jamaat. Al-Khidmat Foundation, the poster child for the Jamaat's social welfare programme, was set up initially in 1951 with projects in both East and West Pakistan. It was later registered formally with this name in 1992.[31] The Jamaat established the Mansoorah Hospital in 1982 to provide services to the victims of the Soviet-Afghan War.[32] Later, the hospital expanded its services to the local community of Lahore. The Jamaat also focused on educational welfare by setting up the Mansoorah Model Degree College, the Mansoorah Model Schools for boys and girls, the Al-Hira Schools, and Al-Ghazali Trusts respectively. The party also did relief work during floods in Punjab and earthquakes in Quetta, and partook in relief efforts after the 2005 earthquake in Azad Kashmir. In 2008, as a gesture of solidarity with the victims of the War on Terror in the Pakistani tribal areas, the Jamaat announced a fund of 20 million rupees.[33]

The Jamaat has also gained reach amongst women with the Al-Khidmat Khwateen Wing (Women's' Wing). Their work has expanded to include Ramadan support programmes, a network of orphanages in Pakistan, vocational centres, medical camps, medicine dispensaries, and animal sacrifice programmes for Eid celebrations. Other political parties have tried to capitalize on this as well, but Muttahida Qaumi Movement's Khidmat-e-Khalq Foundation, Jamiat Ulema-i-Islam's Al-Khair Trust (JUI), Awami National Party's (ANP) Bacha Khan Trust, and the Pakistan Peoples Party's (PPP) Shaheed Bhutto Foundation have yet to mobilize volunteers on such

a large and organized scale. Most of the Jamaat's funding is derived from donations, including *zakat* in Ramadan as well as the collection of sacrificial hides on the occasion of Eid ul Azha—a very lucrative source of funds.

The Jamaat also found in the King of Saudi Arabia, Faisal bin Abdulaziz Al Saud, a patron supportive of pan-Islamist movements.[34] During the kingship of Shah Faisal (1964–1975), sufficient economic support came from Saudi Arabia to the JI. In the 1980s, the JI allied itself with the military government of General Zia-ul Haq to implement many of its ideas such as Islamism in Pakistan and pan-Islamism across the world.[35] The JI maintains international support programmes for Muslim countries like Lebanon, Afghanistan, and Palestine, and countries with Muslim populations like Nepal and Sri Lanka. The JI has delivered lifesaving drugs, food, and dry rations, and funded the purchase of ambulances and mobile clinic services.[36] They have more recently carried out ration distribution programmes for refugees of the Syrian civil war in Turkey as well as the Rohingya Muslims.[37]

JI remained active in Afghanistan and Kashmir to meet the needs of its jihad (holy war) project.[38] This was another dimension of the fulfilment of the JI's pan-Islamic geostrategic solidarity.[39]

The JI may have been inspired to follow the political Islamic revivalist movements undertaken by the Muslim Brotherhood in Egypt, Hezbollah in Lebanon, Hamas in Palestine, and the AKP (Justice and Welfare Party) in Turkey. Similar to the Iranian Revolution, the JI followed the top-down strategy, which concentrated first on gaining political power and then implementing Islam compared to a bottom-up strategy (as followed by Egypt's Muslim Brotherhood) that sought to prepare the way by first reforming society.[40] Similarly, unlike the Muslim Brotherhood, the JI worked through political activism and proselytizing for full implementation of Islamic law and avoided resorting to an Islamist anti-state insurgency in Pakistan as was seen in Egypt and Algeria.[41] To mobilize support they could not gain on their own political platform, the party focused on the deprived sections of society and tried to cater to their needs. This was a key driver for them to emphasize their social welfare work.

JI focuses on social welfare work for political grounding. JI's aim is the atonement, purification, and development of Islamic ethos. Steps to achieve

this include organizing and training their employees; a collective effort for *dawa* to align the wider populace with its views; and a change in government leadership to bring in honest and righteous leadership.

The role of social work in Jamaat-e Islami's governance efforts

When a party's politics are bolstered by social welfare and sanctified by religion, it gains strength. Engagement through social welfare allows the party to influence public ethos and further their agenda. Thus, the fourth section discusses how JI is using social work as a tool for political strategy.

Social work—a religious duty

Presently, the JI has one aim: the implementation of Islamic law (sharia).[42] Nevertheless, the JI claims that it is the party's religious duty to do social welfare work and to help the poor.[43] The Jamaat's commitment to social work is based on their ideology of social justice, a central tenet of Islam. The JI considers religion as the driving force behind this work, convincing them to continue performing social welfare, which is meant to expand the institutional role of a state.[44] In principle, it is the duty of the state to extend financial help to the poor in the time of natural catastrophe or any crisis especially when Pakistan collects *zakat* (a religious tax) every year, but where the government falters, welfare organizations find space to reach out to the public.[45] A government failure to deliver basic needs to citizens living in below average economic conditions creates space for welfare organizations to fill the gap. The welfare organizations publicize their social and welfare activities via different modes of communications to gain sympathy of the general public. The idea is to get attention in the national flux; to acquire more funds to carry out welfare activities; and to promote the image of the organization on the national front to boost its presence in society.

Ameer-al Azeem, General Secretary of the JI, said that the JI was involved in social welfare work to fulfil its religious obligation:

> The JI is involved in all kinds of social welfare work including the construction of schools, colleges, madrassas, dispensaries, hospitals, and water filtration plants. The JI also contributes by

> helping people during natural disasters such as floods and earthquakes. Lastly, it also provides food rations to widows …The JI does so to fulfil religious obligation.[46]

The welfare work of the JI is varied, as it is engaged with a wide range of beneficiaries across the lower social strata. Fareed Piracha, Vice President of the JI, comments on some of the JI's social welfare work:

> Generally, there are several categories of social welfare, and out of those, there is one in which the foundation is engaged. This includes hospitals, dispensaries, taking care of inmates in prisons, and all together seven aspects (of welfare) which the foundation calls the rainbow. These also include water supply and water filtration. Similarly, it also includes taking care of the orphans, and even within that there are several categories, i.e., those that are living in their homes or those that need shelters.[47]

A developing country like Pakistan always remains in need of help, physical or financial, to meet crises impeding its progress. The idea of the organization is to support households facing dire economic constraints. JI, who have a political wing, benefits more by supporting people economically. The organization gets more funding in terms of *zakat* to carry on social activities, and the families who gain any sort of assistance are more inclined towards the organization. This in a loop is based on assumptions—providing necessities to survive would be considered enough to make the receiver households vote in favour of those who assisted them. Another assumption is that the receiver feels a sense of honesty and can repay the debt. Those facing financial hardship who are unable to repay the debt financially will repay by giving their vote(s) in elections. Not only a vote, but the receiver(s) also feel allegiance to support the party more generally, and what matters the most in the political arena is numbers.

For instance, Maryam Bibi, a divorcee, was in need of financial help because she had to take care of her two children. Her younger child was born with jaundice and the medicine cost 5,000 to 6,000 rupees per month. Maryam Bibi discussed how JI supported her family:

> The JI gave us groceries, clothes, and food … They provide us with food at our homes for every family member. They knew how

> many people we had in the family. They gave us groceries every month and also gave wheat and other things. They gave us clothes on Eid. Apart from that they paid for fixing the roof leaks when it rained. So, they help us in every situation … The JI helps us on a monthly basis.[48]

The JI not only helps the needy regularly but also in times of crisis. For instance, Amjad Hussain, a van driver of a rented vehicle, lives in a rented house, and said that during the COVID-19 crisis, the JI helped him weather the crisis:

> Owing to COVID-19 crisis, I became jobless, and I could not pay the rent four months … The JI provided us with ration … The JI is known for its social work programme...It is a general perception in society that the JI is an Islamic party and its main motive is to uplift common people … The JI people have not asked me to vote and support them, but as it is a political party, I am sure that the main purpose of the part is to attract people.[49]

In the eyes of JI, the need for external welfare organizations underscores how insufficient the state government is at caring for its citizens. Fareed Piracha considers JI's welfare work to be addressing the shortcomings of the state:

> It is a job of the government to create a welfare state based on the principles of the Islamic welfare state where no person goes to bed hungry.... If the government fails to meet the needs of these people, then the society has to step up. And we are doing that work. We are also acting as a bridge between society and the needy people because there are some people who want to give (to poor) but don't know who to give to.[50]

The idea of running an Islamic missionary movement is no doubt an encouraging one, but the need to shift from ad hoc relief to sustainable self-reliance and empowerment is also necessary. In another developing country, Bangladesh, for example, Muhammad Yunus founded Grameen Bank in Dhaka in October 1983 to provide microfinance the community through microcredit called the grameen credit, giving to the needy without

demanding collateral.[51] Any social welfare movement that keeps on feeding the needy makes the recipient rely on its help, compared to the microfinance movement which makes people rely on themselves. Nevertheless, the JI claims that it does social welfare work as its religious duty.[52]

Social work—a mode of engaging the public

In the age when political parties compete for relevance in the public eye, every party devises a strategy for having an edge over its competitors in engaging the public.[53] The JI is no exception. The party is interested in grabbing power to fulfil its right-wing, socially conservative religious-political ambitions, but it needs to penetrate the public with a more subtle philanthropic measure. Through the pretence of spreading *dawa* and the medium of obsequious social welfare, they intend to curry favour with the public for political relevance. Association by welfare can help foster ties that may promote religious and political affiliation. The JI works under the assumption that the more the public accepts the *dawa*, the more the chance they will be politically inclined toward the party.

Liaquat Baloch, Secretary General of the JI, said that it was equally important for the JI to engage the public and share its narrative, and that the social welfare work was one of such methods:

> Every political party has its own technique of engaging the public and sharing its narrative with the masses. Every political party has its own way of doing this. The JI has divided its work in this way that we work in the fields of religion and training, as well as the field of welfare. Similarly, we also work in political, electoral, and municipal institutions. Whenever the JI has had the opportunity to work, be it parliamentary, district or any other level, the people of the JI have showed their capabilities and worked with honesty and integrity. Hence, the JI is not limited to any particular field; we are working on every front.[54]

The JI considers itself a political party and not a religious-political party, as viewed by scholars.[55] Nevertheless, the JI views it as important to explore every opportunity to engage the public through its social welfare projects. For instance, Kainat Zubair, who lives with her husband and three children

in a separate house on rent, faced the problem of paying rent. Zubair said that the JI extended a loan to enable her to pay the rent:

> The JI gave me 5,000 rupees once to help me pay the house rent … Buying rations is the most expensive thing, and they provide a good quantity of rations. It helps us survive for a whole month. The JI is persistent where the family is in utter need … The government does not help us … The JI help us even if for getting votes … I say at least they are helping even if for votes.[56]

Similarly, Abida Zamair, a married woman from a poor family living in a rented house with her children and a debilitated husband, said that she has to take financial loans from the al-Akhuwat wing of the JI to run her home:

> The JI give rations. They gave money to people during the rainy season. They give clothes. They help a lot … If anyone approaches them, they listen and help the needy and do not let anyone go back empty-hands … I took a loan from Al-Akhuwat wing of the JI. Some of it went towards paying rent and some of it went to repaying other debts … The JI has assured that it would help us in the operation of my husband … The government is not helping us.[57]

Likewise, Amna Ghulam Hussain, a housewife, lives in a rented house with her husband and five children, said that the JI not only offered loans to pay her house rent but also to pay the bill of the marriage of her daughter:

> Once the JI paid me 5,000 rupees, which went to the rent of the house which was 8,000 rupees a month … The JI helped me in my daughter's marriage. They gave a wedding package of 25,000 rupees in which bride's and groom's dresses and their families' dresses were arranged. My daughter got married in a joint wedding ceremony where 20 to 25 girls were married, and reception was arranged by the JI and participated in by local politicians … I have no skills, and I wash dishes and utensils of two houses … The JI provides us only with ration without vegetables or meat. They provided us only pulses, spices, and oil … Until now, the JI has not asked for anything to do for them in

> return. They have not asked for vote and support. They just drop rations at our door. In return, they demand nothing.[58]

Loans (or financial help) make people indebted to the lender, especially loans the borrower is unable to service. Penetrating the public is important for recognition of the JI.[59] For instance, Arshad Ahmad, a rickshaw driver, lives in a rented house with his wife and three daughters, and said that the JI helped him monetarily in letting him marry his daughter:

> The JI helped us monetarily in letting us marry our daughter. Local politicians also participated in the wedding … The JI does the work which is supposed to be done by the government … The JI help poor without any political gains … At the election time in the past, they did not ask for voting for the party … We voted for the JI but there was rigging and it could not win … The JI not only supply us with the ration but also pay our utility bills whenever the bills are outside our capacity to pay … The JI help us but it does not tell anyone about it.[60]

Many of Pakistan's poor are reliant on non-governmental organizations. This was why, perhaps, in 2001, Dr Muhammad Amjad Saqib, a Pakistani social entrepreneur, founded Akhuwat (Brotherliness), an organization to extend microcredits to the poor at zero interest rates.[61] The objective was to alleviate poverty by empowering marginalized families economically and promoting in them the potential for entrepreneurship to make them self-reliant. The organization has so far disbursed 100 billion rupees in interest-free loans, helping around four million families across Pakistan; the organization has a loan recovery rate of 99.85 percent and has presence in 22 cities and towns of Pakistan.[62] Compared to such an effort, the JI has not developed a system of extending loans to the public to make them self-reliant; instead, JI relies on its social welfare projects to engage the public socially and politically.[63]

Social work—a method to influence the ideology of the public

The previous two sections discussed how JI has used social work and activities to advance the concept of religious duty and how through different modes they are engaging the public in their framework of social

welfare activity. JI has already built on social work as a religious duty and by financially assisting poor citizens, who are not prioritized by the state, the JI is setting its ground for a strong political statement. This section will focus more on how JI is using social work as a tool to influence the ideology of the general public.

Siraj-ul Haq, Amir (Chief) of JI, lays emphasis on opinion building to make Pakistan an Islamic welfare state, saying: 'People founded and migrated to Pakistan because they felt that Pakistan would have a government based on modern Islamic principles. We want Pakistan to be a modern, Islamic welfare state.'[64] Inculcating Pakistan's youth is a major focus of the JI as they are the primary source of volunteers and future voters. Dr Sufian Munawar, an Assistant Professor at Imam Abdulrahman Bin Faisal University, says that the Jamaat has numerous programs to instil the youth with its ideology:

> We have separate platforms for the youth of various age groups and formal educational stages. Starting from primary school level to university level and in Madrassas as well we have various organizational platforms to align and train the youth with our ideology. The current JI leadership is a reflection of this massive work of JI in the youth, which was started from its formation.[65]

The JI has taken upon itself the task of giving people an idea of a welfare state, such as by showing people the way its wing, Al-Khidmat, serves the cause of social welfare. The effort meets success. This is highlighted by the case of Anum Tajammul, a divorcee with two kids, who was in need of aid such as food and medicines. She said that the Al-Khidmat wing of the JI was active in disbursing both ration and medicine to her family for nothing in return:

> The JI provided us with ration and medicines. No amount in cash was given to my family or me … They have been helping me for the past four months … It is my first interaction with the JI through its Al-Khidmat wing … They have not yet asked me about vot[ing] or giving any political support in return … If the JI is doing its social work to get political support, I see no harm in it.

> Every political party should do social work to support [the] poor and needy like us.[66]

Social mobilization of volunteers thanks to their affiliation with religion allows the Jamaat's welfare wings to reach the poorest at the grassroots. Volunteers expect the implementation and manifestation of their religious ideology when they are involved in welfare activities run by a group claiming religious affiliation. Dr. Sufian Munawar while sharing his thoughts with the author believes that the Jamaat has four political directions:

> … our struggle is focused in four directions (programmes): firstly, sanctification, purification and development of Islamic ideology; secondly, organising and training of their workers; thirdly collective struggle in the society for da'wah work to align general public with its slogans; and fourthly change of leadership in the government and bring honest and rightful leadership. Our social work is a segment of our dawah activities which comes under the umbrella of the above-mentioned program.[67]

Social work—a part of political strategy

No political or religious-political party can penetrate the population without doing social work, which acts as a substitute for electoral canvassing and as part of the benevolence that the recipients remember for ages.[68] The JI capitalizes on this, as Liaquat Baloch explains that, besides doing social work, the JI also engages in politics:

> It is not that we are solely focused on welfare work. We are actively involved in Pakistan's domestic politics, in preserving the sanctity of the constitution … and making Pakistan an exemplary Islamic welfare state. We have not separated politics and welfare from the religion. We believe that religion is supreme, whereas politics, welfare, and other activities are conducted under it.[69]

The Jamaat's social welfare work leaves room for political bargaining near the elections. Fareed Piracha, Vice President of JI, said:

> … we engage in social work in a very apolitical way. However, we do hold this expectation from people that if they complain that everyone (political party) is the same, then you should also give a chance to those who are not like the rest. You are seeing that we are going above politics and working for the welfare of people, so if we have governmental resources at our disposal, we would be able to do even more for the masses. But again, our intention is not political gains.[70]

Ubaid-ul Rehman, a security guard, lives in his own small house with his wife and six children, and said that the welfare work performed by the JI is sufficient to make it earn popularity in the eyes of the public:

> During the COVID-19 crisis, owing to downsizing, I was shown the exit door. I was worried about how to cope with the expenditures. A friend of mine showed me the way to the JI to get a ration package, which was a sufficient help … for six months during the lockdown. In our street, the JI helped 12 houses with a ration package … The objective of the JI to give ration packages might be to earn popularity … [but] they have not asked for any support for political purposes.[71]

The recipients of JI's social welfare assistance remember the favour and remain obliged to the benefactor. Asif Iqbal, a fruit seller, who lives in a rented house with his wife and four children, said that the JI was more relevant in the field of social work than in politics:

> The JI does social work to help the poor … The JI is known for its relief programmes during disasters and whenever there is a crisis in the country, they come forward and play their role. So, I think that they are more relevant in the domain of social work than in politics … I think they are helping us because we live in their constituency, and they get votes from here.[72]

JI still harbours political ambitions to grab power to rectify the whole system of Pakistan, and a part of this political strategy is to gain popularity amongst the public to influence the policymakers in Islamabad. Samia Raheel Qazi, Director Foreign Affairs at Jamaat-e-Islami, said:

> ... we do want to make political gains out of these activities. It used to be our narrative once that we do these activities just for the sake of social welfare. But I wholeheartedly admit that we do want to make political gains out of [this work]. We are going to the masses to do social work because we want gains and respect in this world as well. And also want to gain political power. People participate in elections for winning, so it would be a wrong statement to say that we are doing all of this just for the sake of it. No, we need political mileage, and this is why we go to the masses and work for them, so we are able to get their support and sympathies.[73]

But this strategy that the Jamaat has opted for, to leverage welfare socialization for electoral success, has not borne any worthwhile fruit. The Jamaat at present has only a single seat in the Senate after the 2021 elections, and they failed to secure a single seat after the 2021 National Assembly elections. Their representation in the provincial governments is no better—they have a single seat in both the Provincial Assembly of Punjab and Khyber Pakhtunkhwa. Why public welfare and goodwill doesn't translate into votes on election day is still of concern for the leadership in the JI. Samia Raheel, who is also perplexed on this matter, cites Pakistan's election process as the likely cause. She said:

> This is a great mystery for us as well, but the biggest answer to that is that we don't have free and fair elections in Pakistan. We are in no doubt about this. Even if today if you can get free and fair elections, most of the people will vote for JI. Whenever you can [have] elections, even at local bodies' level, you will see that people will vote for JI candidates who are active in their own neighbourhoods because they are considered respectable and righteous. But since elections are not free and fair, they are manipulated and wrecked, so that's why we are not able to win elections.[74]

Irfan Hussain Ansari, a social welfare consultant for the JI, believes that there is a multitude of inter-related factors preventing the Jamaat's electoral success:

> There are many reasons. We are fighting against Western cultural and political hegemony, homebred military juntas, feudals, secularists, provincial and religious biases, and illiteracy. You can easily imagine how difficult it is to fight against all of the above at one time. However, our agenda is not limited to winning elections only, as many see it, but to reform and train the aimless nation and make them successful in the court of Allah …[75]

Critique

JI engaged in social welfare work not only to gain popularity amongst the public, but also to influence the ruling elite—both civil and the military. But the leaders of JI often claim they never formed an alliance with military dictators. For instance, Siraj-ul Haq said that the JI remained against the dictatorship of General Ayub Khan, who imposed martial law in 1958. Haq said:

> The JI never formed an alliance with military dictators … Maulana Maududi's message was that a weak democracy is better than a strong military dictatorship. This is why, during the time of General Ayub Khan, the JI opposed him and stood by Fatima Jinnah.[76]

This is not true. The JI did form an alliance with General Ayub Khan to counter growing leftist forces in the country, though it remained short-lived.[77] Afterward, the JI collaborated with the military regime (1978–1988) of General Zia-ul Haq, who wanted to increase the role of Islam in public life and endorsed the regime's Islamization process with the goal of dominating the state-sponsored process. Maududi called the co-option a 'renewal of covenant' between Islam and the government.[78] The JI continued to insist on implementing the rule of Islamic law (sharia).[79]

The JI attempted to use social welfare work as an instrument perennially to lower the need for political campaigning to woo voters. Despite all of JI's efforts, the people of Pakistan have not given them much electoral endorsement other parties of similar religious-political ideology, compared to political parties of centre-right and centre-left persuasion.[80] They may not have a large political representation in the governmental institutions of

Pakistan, but their name carries weight in society. The Jamaat—underscored by the resounding respect that Maulana Maududi holds among conservative groups in Pakistan—is associated with trust, certitude, and altruistic servitude through its welfare wings.

In post-partition Pakistan, religious parties standing for politics (such as the JI, Jamiat-e-Ulema-e-Islam, and Jamiat-e-Ulema-e-Pakistan) have played a significant role in the Islamization of the Constitutions of Pakistan. The JI is focused on implementing the rule of Islamic law (sharia) in Pakistan. For instance, Fareed Piracha said that Jinnah's speech delivered on 11 August 1947 to the first Constituent Assembly of Pakistan was no longer relevant:

> We feel that Pakistan was created for the purpose of the implementation of the Islamic law [sharia]. These debates [about] whether Pakistan was created because of Hindu oppression, or what the Quad-e Azam said in his 11 August [1947] address [to Pakistan's Constituent Assembly] are not relevant anymore. This is because the Objectives Resolution clearly states the objectives of creating Pakistan. Now, the JI asks what prevents the state from implementing the Islamic law … We say that in order to implement Islam in society, you need to spread the ideology of Islam in society, have honest and dedicated leadership, and then have a team capable of complementing that task … and this is why we want Islamic law to be implemented in the state.[81]

Using the implementation of Islamic law as their political selling point to the masses, the JI will look to exploit the rising trend of Islamophobia for their own agenda. JI seeks to bring about societal transformation through appealing to the intellect, organizing communities, and rallying masses by presenting a refined de-radicalized model of Islam for political fuel and support. The social welfare work has helped the party earn legitimacy and relevance and improve its image, but the party has only met occasional successes in achieving its religious-political objectives. JI leadership will look to garner support amongst the masses in the future by building themselves up as a major voice against Islamophobia. Dr. Hussain Ahmed, an Assistant Professor, believes that the Jamaat needs to exploit and capitalize on all its present programmes:

> … As a movement and an organization, JI must strive to capitalize its every activity as much as it can. I would strongly recommend that JI leadership chalk out a plan to capitalize on its social work activities. However, it should stay away from the exploitation methodologies other parties planted by the establishment, such as PPP, PML-N, PTI, adopt to gain political power …[82]

Conclusion

The aim of this chapter has been to understand the scope and rationale for the JI's social activism. Though the party opposed the division of the Indian subcontinent, they later tried to find solace in social welfare work in an effort to earn legitimacy in the eyes of the public and stay relevant.

JI focused on the deprived sections of society and tried address their needs. Social work offered the party a mode to engage the public in order to perform better in the general elections—a tactic through which the JI has earned goodwill among their beneficiaries. JI have reaped this short-term benefit incidentally by forming an alliance government in 2001 with three other parties, but their primary focus remains on religious ideology. The JI wants to make its right-wing, socially conservative religious-political ambition of Islamism successful in society, and this step would create space for the objective of implementing sharia in Pakistan.

Social welfare was part of JI's political strategy to influence the public and grab power to rectify the whole political system in Pakistan. In a way, the party's tactic to attract voters via the instrument of social welfare work compared to political campaigning to court voters has failed to populate its political base. JI can take forward their aim of an Islamist governance system by partnering with other political forces. JI has the largest systemized and patterned welfare networks across Pakistan. JI are lacking on many fronts politically but they are one of the most organized and socially active organizations in Pakistan. It could be a partner in development and growth by undertaking welfare operations that engage with federal, provincial, district and city governments.

PART IV

RELATIONS BETWEEN STATES AND ISLAMIST ACTORS

14

ISLAMIST GOVERNANCE AND PVE POLICY IN INDONESIA

CONCEPTUAL AMBIGUITY & UNINTENDED CONSEQUENCES

Cameron Sumpter and Yuslikha Kusama Wardhani

Islamist endeavours to establish sharia-based governance have deep roots in the archipelago nation of Indonesia. Longstanding efforts can be largely divided by the willingness to use violence as a means to this end. Since Indonesia's struggle for independence in the 1940s, several Islamist associations and organizations have sought political power and influence through activism, community mobilization, and ultimately the modern nation's democratic system. During the same period, separate campaigns of subversive violence have been waged by Islamist militants, who adopted the ideology of Salafi-jihadism through transnational links from the 1980s. A turning point for both the violent and non-violent strands of Islamist advocacy came in the late 1990s, when the authoritarian Suharto regime was ousted by popular uprising. The immediate security vacuum generated communal conflict and terrorism, while eventual democratic reforms paved the way for Islamists to participate in politics.

Indonesia's counterterrorism capabilities developed rapidly through the mid-2000s, bolstered by international partnerships during the US-led 'War

on Terror.' Successful police operations led to hundreds of prosecutions by the early 2010s, when the threat of terrorism had been essentially subdued. The rise of ISIS in the Middle East rejuvenated like-minded militants in Indonesia, but this resurgence was again mostly extinguished by the late 2010s. Now, the government is establishing an ambitious long-term plan of action to prevent violent extremism (PVE), which will ideally empower more community ownership of prevention programming. However, the plan is emerging in the midst of a broader indirect campaign by the current Joko Widodo administration to suppress non-violent Islamist activism and political participation. The government's ostensibly unconnected strategy risks undermining the promising PVE plan by confusing its intentions, where some view this PVE plan as a means to help suppress non-violent Islamist activism and political participation.

This chapter will illustrate the historical developments leading to this contentious period before discussing why non-violent Islamists view the government's expanding counterterrorism strategy as a threat. Those seeking Islamic-based governance in Indonesia are currently facing heavier constraints than at any period since the fall of the authoritarian Suharto government. The language and instruments of PVE have been used to justify the suppression of non-violent Islamists, which may ultimately generate grievances that drive the more extreme to committing acts of violence.

From repression to activism

The role of Islam in the administrative constitution of Indonesia has been disputed since the early 20th century, when the concept of a nation-state began to emerge in public discourse. A watershed moment came during the process of declaring independence in 1945, as nationalist leaders drafted a vision for the new nation. By the end of World War II, the outgoing Japanese occupying authorities had allowed a native committee to begin establishing a political and economic structure for the new nation, but the precise place of Islam deterred progress.[1] Authors of the emerging national philosophy *Pancasila* attempted to alleviate concern by constituting a 'belief in God' among the doctrine's five principles.[2] Unconvinced, Islamic leaders inserted a clause obligating Muslims to follow the sharia. But one

day after declaring independence, founding President Sukarno and his deputy omitted the addition, settling instead for belief in a single God.[3]

When Major General Suharto seized power in a 1965 coup, he emerged with an ad hoc alliance that included Islamic-based groups, who were co-opted for the repression and eradication of the Indonesian Communist Party. Muslim leaders believed this support would translate to political influence, but Suharto's emerging New Order regime soon grew uncompromisingly authoritarian, and Islamic organizations were deemed 'political enemy number two,' following anything resembling communism.[4] Reformist Muslim groups diverged in two camps: one focused on proselytization (*dawa*) and hopes of achieving an Islamic state through political processes; and the other shunned politics in favour of developing a Muslim civil society to counteract the State.[5] Suharto merged the four existing Islamic political parties into one United Development Party (PPP), whose activities were severely restricted, and the regime employed heavy-handed tactics against any attempts at activism.[6]

In 1982, the Suharto government declared that (a vague version of) Pancasila, the national philosophy, must be the 'sole foundation' of all organizations in Indonesia, which effectively proscribed other ideological identities. One environment where organized Islam did begin to flourish during this repressive time, however, was among secular universities, particularly across Java. From the late 1970s, small religious study circles began forming on campuses, with student members promoting personal religious devotion and an Islamic identity.[7] These associations developed political tendencies in the early 1980s as they embraced and propagated the ideas of the Egyptian Muslim Brotherhood.[8] Soon, the network of small cells active in a number of the nation's elite universities evolved into the *Jemaah Tarbiyah*, or Education Movement, which pursued the universal adoption of sharia law in Indonesia.[9] An Indonesian chapter of the global Islamist organization *Hizb ut-Tahrir* also developed from the student study groups, but remained underground until the end of the restrictive Suharto regime, whose demise altered the prospects of political Islam in Indonesia.[10]

Participation, alliances, and evolving religiosity

President Suharto's 30-year rule collapsed in 1998 amid a regional economic crisis and a student-led popular uprising centred in the nation's capital. The end of authoritarian rule lifted constraints on political participation and democratic freedoms, but also produced fresh opportunities for intolerant groups to prosper. One Islamic-based organization that would eventually gain an outsized influence on Indonesia's public sphere was a product of the revolution itself and associated attempts by the establishment status quo to maintain power. The Islamic Defenders Front (*Front Pembela Islam*, FPI) was formed in August 1998 with alleged military support and became a confrontational blunt force instrument to counter student protesters with violence.[11] As the New Order administration was phased out through the turn of the millennium, FPI evolved into a vigilante militia intent on 'safeguarding public morality' through intimidation and vandalizing 'dens of vice' such as bars and karaoke lounges—particularly during Ramadan.[12]

As the political situation transitioned, a number of systemic reforms were introduced in a period that came to be known as *Reformasi*. The most substantial change was that of decentralization legislation passed in 1999, which devolved administrative powers to lower levels of government throughout the regions. The aim was to stifle enthusiasm for regional autonomy and separatism, improve political rights, and dismantle networks of patronage that had flourished during the New Order.[13] Authority in governance and financial resource allocation bypassed the nation's provinces, flowing from the capital in Jakarta to several hundred district, regency, and municipal governments, which have directly elected their leaders since 2005. Corruption largely decentralized to the benefit of regional elites, but the devolution pacified provincial conflict, stimulated local identities, and proved a broadly popular process.[14]

Democratic reform also opened space for previously marginalized entities and networks to participate in politics and activism. Hizb ut-Tahrir Indonesia (HTI) organized an international conference in Jakarta in 2000, emerging from years of seclusion to declare itself a formal centralized organization.[15] And leaders from the Jemaah Tarbiyah movement came together in the late 1990s to form the Justice Party (*Partai Keadilan*, PK), based on the Muslim Brotherhood's ideological model and advocating for sharia law in Indonesia.[16] Now known as the Prosperous Justice Party

(*Partai Keadilan Sejahtera*), the organization remains a political force, though Islamic-based political parties have never fared particularly well at the polls. Those seeking a greater role for Islam in politics and society have found it more effective to form alliances with secular politicians, to develop gradual social change from within Indonesia's political institutions, and (more recently) to shape and instrumentalize public opinion.

In 2002, Indonesia's national legislature voted against a proposed amendment to the constitution that would have required the government to enforce Islamic law among Muslim citizens. But over the following few years, Islamic activists united with secular political parties in over 50 districts throughout the country and passed legislation known as 'shari'a oriented regional regulations.'[17] Roughly 170 bylaws with an 'Islamist connotation' were issued through the 2000s, instituting dress codes for women, local prohibitions on alcohol and gambling, and obligations to provide charitable donations.[18] While this suggests a creeping religious conservatism, researchers found that regulations such as the collection of alms have been used to bribe local power brokers and serve broader political interests.[19] Strategic calculations also had a moderating impact on the Prosperous Justice Party itself, which grew more accommodative in many areas, while maintaining certain exclusivist positions such as backing an expansive 2008 anti-pornography law.[20]

Robert Hefner has noted that the 1990s and 2000s were 'characterised by the greatest surge in religious observance ever' in Indonesia's history.[21] Remarkably, Islamist political parties did not independently benefit from this evolution. Instead, the political beneficiaries have mostly been savvy nationalists who managed to appeal to the pious polity. General Susilo Bambang Yudhoyono won the 2004 presidential run-off election with the support of Islamist groups, whose interests he increasingly accommodated during his two terms in office.[22] One example was the elevation of the Indonesian Ulema Council (Majelis Ulama Indonesia, MUI), which was established by the Suharto regime in 1975 to bridge government and Muslim associations.[23] Under Yudhoyono, MUI became more influential, and hard-line groups such as Front Pembela Islam were permitted to share equal footing on the Council with mainstream organizations such as Nahdlatul Ulama (NU).[24] MUI soon issued fatwas against liberalism and

perceived ‘deviant’ sects, leading to bouts of discriminatory violence targeting the Ahmadiyah minority from the mid-2000s.

Polarization and adversarial populism

As the post-authoritarian nation developed its democratic processes and institutions, those aspiring for greater societal pluralism did not extend their inclusive logic to Islamists with more exclusivist perspectives. The result would be a self-styled liberal administration resorting to illiberal practices to suppress what it viewed as dangerously intolerant political power.

In 2014, Indonesian politics received an upset of sorts, when the first leader from outside the political or military establishment rose to the office of president. Joko Widodo may not have proved the great reformer many had hoped, but he distanced himself from Islamists, who soon became an increasingly adversarial opposition. Despite common perception of growing societal intolerance, aggregated survey data from Indonesia’s leading polling firms found that between 2010 and 2016 there had actually been a ‘decline in conservative and radical attitudes’ in Indonesia.[25] However, those with hard-line Islamist views still comprised around 25 percent of the population, and the demographics of this category had changed from previously low socio-economic status and education to a wealthier, more highly educated section of society.[26] In 2016, this loose web of Islamist activists, associations, and organizations would also become more coherently organized through a mass protest movement ostensibly assembled to ‘defend Islam.’

The controversy centred on Jakarta Governor Basuki Tjahaja Purnama (widely known as Ahok), who had been Joko Widodo’s deputy until the latter ran for president in 2014. While campaigning for re-election in 2016, the ethnically Chinese Ahok was filmed quoting the Quran in a public speech, which was later edited to misrepresent his intended meaning.[27] The soundbite went viral, provoking widespread outrage. MUI issued a fatwa defining Ahok’s words as blasphemous, petitions were signed, and protests quickly grew to a colossal street demonstration in Jakarta on 2 December 2016, involving some 750,000 protesters. Referencing the date of the defining rally, the campaign became known as the 212 Movement. When elections arrived in early 2017, Ahok narrowly won the first round, but after heightened 212 pressures calling on followers not to elect a non-Muslim,

the incumbent lost the run-off to Anies Baswedan.[28] The incoming governor was backed by the Gerindra Party and its leader Prabowo Subianto, who had lost to Joko Widodo in the 2014 presidential election. Less than one month later, Ahok was convicted of blasphemy and sent to prison for two years.[29]

This collaboration between influential Islamists and conservative nationalist politicians continued onto the campaign trail for the 2019 presidential elections. In a repeat of 2014, President Joko Widodo was again up against Prabowo Subianto, who had a chequered human rights record from his military career and was once married to Suharto's daughter. Widodo ultimately won, but the 'classic populist campaign' run by Prabowo and strategically oppressive government responses exacerbated a growing social fault line largely defined by religious interpretation.[30] The Prabowo camp advanced narratives that faithful Muslims were being exploited by a corrupt establishment class with ties to foreign business interests (particularly in China), and that conspiratorial alliances were repressing Muslim interests.[31] Joko Widodo sought the backing of more established Islamic organizations such as the traditionalist Nahdlatul Ulama, and embraced the rhetoric of religious pluralism. Both sides ran bitter disinformation campaigns, while each claimed to be upholding the 'right' version of Indonesian Islam.[32]

The Prabowo camp may have prospered from the 2012 mobilization, but the Widodo government held the levers of power and has deployed them in a 'coercive approach' towards its Islamist opponents.[33] As Ahok was convicted in court, the government announced a decree to disband any mass-based organization deemed contrary to the state Pancasila philosophy, which paved the way to proscribing Hizb ut-Tahrir Indonesia (HTI).[34] The organization had a formal registration accepted in 2014, but the events of late 2016 had changed the landscape.[35] Leaders of the protest movement were also individually targeted, including the firebrand FPI leader Muhammad Rizieq Shihab, who was investigated on different fronts (including for the distribution of pornography) before he fled to Saudi Arabia in mid-2017.[36] On arrival back in Jakarta in 2020, police killed six of his supporters in a skirmish, and the organization was then outlawed for its discordance with Pancasila and alleged links to terrorism.[37]

The banning of HTI and FPI may have been the highest profile actions of the campaign against Islamism. However, the government also began vetting senior civil servants to 'weed out' those suspected of having ties to hard-line Islamist organizations.[38] Teachers and academics drew scrutiny, with some allegedly added to 'watch lists' compiled by state security agencies.[39] Websites and social media pages were shut down, and legislation introduced in 2019 criminalized the distribution of misinformation online, which appeared to be disproportionately applied to those critical of the president.[40] Potentially tens of thousands of Islamists have been impacted by the campaign, which for the Australian academic Greg Fealy, seems to be aimed at pressuring Islamists to 'either relinquish their beliefs or desist from openly expressing their views and organising within workplaces.'[41]

Survey data has shown that tens of millions of people in Indonesia likely hold at least sympathetic views for Islamist forms of governance, if not outright support for some type of adoption in Indonesia.[42] The present anti-Islamist campaign's ultimate impact on this demographic seems unclear, but the language linking hard-line Islamic-based organizations with terrorism is significant, as it blurs the conceptual boundaries of the nation's longstanding violent extremist movement, now associated with transnational Salafi-jihadist organizations such as al-Qaeda and Islamic State. Converging these two parallel pursuits of Islamist governance may both dilute the nation's security responses to genuine threats and produce grievances that push activists towards more extreme reactions. The next section will briefly outline the evolution of those seeking an Indonesian Islamic state through violent means, and the subsequent development of domestic counterterrorism strategies.

From indigenous rebellion to violent jihad

When Indonesia's founding document was signed in 1945 and the nation transitioned towards independence, pockets of armed resistance emerged throughout the region. Often driven by local socio-economic grievances and land tenure disagreements, one militia developed more of an Islamic identity, and in 1948, an organization that came to be known as Darul Islam declared an Indonesian Islamic State (Negara Islam Indonesia, NII) with a

charismatic leader named Kartosoewirjo designated imam and commander-in-chief.[43] The insurgency employed terrorist tactics, attacking civilian targets as well as government institutions, and by the time Kartosoewirjo was captured and executed in the early 1960s, thousands of people had been killed and tens of thousands of buildings destroyed.[44]

The 1970s saw a brief revival of Islamist militancy, which was later revealed to be a scheme by state intelligence to flush out subversives and discredit political Islam.[45] Two ideologues involved in this contrived 'Komando Jihad' plot would eventually forge a renewed network of extremists in Indonesia, with international contacts and greater capacity to commit violence. From the mid-1980s, Abdullah Sungkar and Abu Bakar Ba'asyir began facilitating small groups of men to travel to the Afghan-Pakistan border, where they trained with the mujahideen, received religious instruction, and studied the Salafi-jihadism of al-Qaeda's founders.[46] Ten batches made the trip until the early 1990s, when the Indonesian network's 'military academy' shifted to the southern Philippines following the Soviet defeat in Afghanistan.[47] With a remodelled ideology and developing strategy, the militants formed a new organization called Jemaah Islamiyah in 1993.

The fall of President Suharto in 1998 opened opportunities for previously repressed political actors, but the revolution also created power vacuums in the region. Communal conflicts erupted in the outer islands of Maluku and Sulawesi and soon mobilized along religious lines, which attracted division-seeking extremists. A range of groups travelled to the outer islands to 'protect' certain communities, and among them was Jemaah Islamiyah, which sought to enlist and indoctrinate new militants.[48] In late 2000, the organization intensified its ambition with coordinated bombings targeting 38 churches across the nation on Christmas Eve.[49] Then in 2002, a splinter cell began a new campaign of bombing attacks against the so-called 'far enemy'—first on the tourist island of Bali, and then outside upscale hotels and the Australian embassy in Jakarta, as well as another targeting Bali's commercial district in 2005.

While these Salafi-jihadi militants shared a comparable vision of Islamist governance to those employing more peaceful means in Indonesia, their indiscriminate violence would generate responses that are now

beginning to have a more blanket effect on activists seeking a greater role for Islam in society.

Prevention experiments and policy development

Indonesia's counterterrorism policing capabilities and resources grew significantly during the 2000s, beginning with international partnerships established during the initial investigations in Bali. Police arrested hundreds of suspects over the next several years and would hold key individuals in police custody for as long as possible to try and learn more about the network. Officers treated them relatively well, facilitated family visits and medical assistance, and looked for practical ways to help, such as paying for their children's school fees.[50] These provisional interactions were eventually framed as 'de-radicalization' initiatives, after certain detained militants started to cooperate with police and question the movement's strategy. After one final deadly hotel attack in 2009, rehabilitation and prevention-type work became institutionalized through the formation of a national counterterrorism agency (*Badan Nasional Penanggulangan Terorisme*, BNPT).

Ostensibly tasked with coordination, the agency comprised three 'deputies' covering prevention and de-radicalization; enforcement and capacity building; and international cooperation.[51] The new entity was also seen as a way of bringing the military into the counterterrorism fold, which had been led by well-trained specialized police units.[52] Soon, rehabilitative experiments embraced more nationalist narratives, focusing on the founding philosophy of Pancasila, and ceremonial acts such as flag raising in prison yards and pledging allegiance to the republic. A 2013 *De-radicalization Blueprint* divided 'radicalism' into four categories: (1) Radical Thugs, who conduct anti-vice raids on nightclubs; (2) Radical Militia, who primarily involved themselves in communal conflict; (3) Radical Separatists, who fought for independence in the outer regions; and (4) Radical Terrorists, who embraced a 'religious ideology' and would become the 'objects of BNPT's deradicalization' activities.[53]

While these categories may have had tenuous connections, some mainstream Islamic leaders also expressed concern over the term 'de-radicalization' (*deradikalisasi* in Bahasa Indonesia). One Muhammadiyah

official argued the process implied that radicalism was a negative concept, and that radically defending Islam should be seen as a positive pursuit, provided no violence is committed.[54] Some went further, claiming the deradicalization project was intended to thwart legitimate efforts towards formalizing Islamic laws in Indonesia.[55] In late 2011, five Islamic-based organizations, including Front Pembela Islam, held a meeting in West Java in which attendees agreed to reject de-radicalization, branding the approach as a systematic effort to undermine the Islamic faith, divide the *umma*, and amputate the Islamic movement.[56] Those present also called for the disbandment of Special Detachment 88 (*Densus 88*), an effective counterterrorism police unit established in 2004 with US State Department support.[57]

The controversy was not widespread, however, and the BNPT's development of initiatives to prevent violent extremism probably benefitted from a downturn in terrorist activity and associated limelight. In 2010, police uncovered a training camp in rural northern Sumatra that had been intended to reconnect and revive a splintered movement comprising Jemaah Islamiyah and smaller groups.[58] The next few years saw operations largely limited to unsophisticated revenge attacks on police officers, while other plots were thwarted or fell apart independently. But the dynamic began to change again from 2014, when Islamic State's rapid rise in Iraq and Syria breathed new life into the networks in Indonesia. Hundreds of Indonesians attempted to travel to the Middle East, while others staged several attacks at home—not on the scale of the 2000s bombing campaign, but still lethal and mostly involving domestic targets. The most shocking was in May 2018, when whole families with children in tow conducted suicide bombing attacks on three churches in the nation's second largest city, Surabaya.[59]

The following month, long-stalled updates to the 2002 national anti-terrorism legislation were pushed through and passed. Amendment law number 5/2018 added additional avenues for prosecution, including recruiting for or joining a proscribed terrorist organization. Investigators were assisted with extended periods of pre-charge and pre-trial detention, as well as enhanced powers of surveillance.[60] The new legislation outlined the government's stated responsibilities to the victims and survivors of terrorism, and included chapters on prevention—which more or less reaffirmed the BNPT's structure, goals, and authority on these issues.[61]

The updated laws appeared to have the desired impact, and between 2018 and 2021, over one thousand suspects were charged under the legislation, representing a substantial increase on previous years. However, as this net is cast ever wider over suspected extremists, the conceptual challenge of whom to target should come into sharper focus—particularly when developing more 'upstream' prevention policy.

National Plan of Action to Prevent Violent Extremism (RAN PE)

With the improved means of disruption and deterrence in the short-term, the government has also established a broader and longer-term strategy for PVE. In January 2021, the government issued a presidential regulation outlining its National Action Plan to Prevent and Counter Violent Extremism that Leads to Terrorism (*Rencana Aksi Nasional Pencegahan Dan Penanggulangan Ekstremisme Berbasis Kekerasan Yang Mengarah Pada Terorisme*, RAN PE). Intended as a supplement to the amendment law 5/2018, the regulation aimed to address the drivers of violent extremism in Indonesia, which were divided into structural conditions and the process of radicalization. Key factors were considered to be communal conflict with religious overtones; economic inequality; differing political views; unfair treatment; and religious intolerance.[62]

RAN PE was designed to be a comprehensive manual for all stakeholders involved in the prevention of terrorism, and the basis for coordination between central government ministries and institutions, local government authorities, and civil society organizations. While the regulation was described as a 'living document' likely to develop as particular needs evolve over time, there were five initial targets: (1) Improved coordination among stakeholders; (2) Enhanced synergy and participation in the implementation of prevention programmes; (3) More effective instruments and systems for data collection; (4) Upgraded or more suitable infrastructure; and (5) Bolstered international cooperation (bilateral, regional, and multilateral). These goals were to be achieved through work outlined in three strategic pillars, which reflect the BNPT's three deputies:[63]

- Pillar One: Prevention (preparedness, counter-radicalization, and de-radicalization).

- Pillar Two: Law enforcement, protection of witnesses and victims, and strengthening of the national legislative framework.
- Pillar Three: International partnership and cooperation.

The first pillar includes eight sub-focus points, covering issues such as capacity building, developing resilience among vulnerable groups, target-hardening, prison programmes, and post-prison reintegration initiatives. Pillar Two has five sub-focus points which elaborated obligations to victims, institutional capacity, particularly in law enforcement (such as community policing), and the alignment of regulatory frameworks. The final pillar outlines cooperative activities through two sub-focus points. A RAN PE Joint Secretariat would be established to manage the various activities and evaluate progress, while governors, regents, and mayors would be responsible for the implementation of programmes in their respective jurisdictions.[64] The multi-stakeholder plan appears to be a comprehensive instrument for PVE, provided it remains clear about what that means.

Criticism and conceptual ambiguity

The RAN PE regulation was issued at the height of the COVID-19 pandemic, so the 121-page document may not have received the same scrutiny as it otherwise would have, but early opposition to the Action Plan focused on the regulation's stated definition of violent extremism.[65] It reads: 'violent extremism that leads to terrorism is a belief and/or action that uses violent means or threats of extreme violence with the aim of supporting or carrying out acts of terrorism.'[66]

While the nation's second largest Islamic association, Muhammadiyah, has broadly backed the spirit of the initiative, the organization's general secretary, Abdul Mu'ti, expressed concern that targeting beliefs could impact fundamental freedoms, and questioned the urgency of a new strategy given the relatively low base rate of terrorism in Indonesia.[67] Predictably, the Islamist PKS party voiced much stronger criticism. Party Deputy Chair Sukamta claimed people would be afraid to express opinions and aspirations that are different from the those of government, and that it would create an atmosphere of mutual suspicion and accusation which could create societal divisions.[68] Human rights activists also conveyed

trepidation. Director of Amnesty International Indonesia Usman Hamid worried about the legitimization of discrimination against minority groups: 'We believe there is a tendency to make regulations that are very broad, so they are vulnerable to being misused in counterterrorism efforts conducted by the state … Don't let this Presidential Decree be one of them,' wrote Usman in a prepared statement.[69]

A particular point of contention was the regulation's provisions on community policing, which was considered an area requiring development under Pillar One of the Action Plan. A community policing approach to PVE is broadly considered to be an effective way of building trust between law enforcement agencies and the people they serve.[70] However, in Indonesia the concept evokes memories of neighbourhood spies under the Suharto regime when the military co-opted community associations to provide information on potential subversive activity.[71] And more recently, village and neighbourhood leaders have been instructed to keep an eye out for terrorist activity, which has sometimes led to the targeted discrimination of religious minority groups and the LGBTQ community.[72] For his part, BNPT Head Boy Rafli Amar insisted that RAN PE is committed to the principles of human rights, and the community policing articles are simply intended to improve professionalism and multi-stakeholder participation.[73]

Fringe commentary has gone beyond the conceivable problems of discrimination, suspicion, and curbs on free speech. One view is that PVE is a global strategy of the West to prevent Muslims from 'returning to the purity of Islamic teachings' and render the Islamic world more friendly to democracy and modernity.[74] At the domestic level, this perspective asserts the national action plan is a direct threat to anyone associated with political Islam or the pursuit of Islamic law, and that the regulation is ultimately a 'camouflaged effort to secure the interests of the oligarchs in the current government.'[75] These are not mainstream views, but they may represent a potentially influential section of the electorate. When the National House of Representatives (*Dewan Perwakilan Rakyat Rebublik Indonesia*) was drafting the 2018 terrorism legislation amendments, opposition from hard-line religious groups was thought to have impacted the process.[76] A central figure in frustrating progress was the populist Gerindra Party's Muhammad Syafi'l, who was chair of the bill's working committee. At the time,

Gerindra had been courting Islamist support for Prabowo's 2019 presidential election campaign.

To be sure, the definitional ambiguity surrounding RAN PE does present uncertainty, particularly as political and religious identities have become increasingly contested in recent years. While the term 'terrorism' is best understood through its definition in national legislation, the concept of 'violent extremism' generally leaves more room for interpretation. To provide greater clarity on the RAN PE regulation, BNPT published a 30-page Q&A-style booklet in April 2021. The publication provides detailed explanations of the plan's intentions and draws on academic literature in attempts to navigate the differences between terms such as 'radicalism' and 'extremism,' with examples from the domestic context. Yet the authors also illustrate the conceptual malleability involved. One section disentangles 'non-violent extremism' from 'violent extremism' but then contends that those who are not violent are considered 'vulnerable' to employing violence, and therefore remain among RAN PE's priorities.[77]

However, implying connection or specific vulnerability is a sensitive proposition. In January 2022, BNPT revealed a list of 198 Islamic boarding schools (known as *pesantren*), which were considered to be affiliated with terrorist organizations.[78] The agency later apologized following protests from some schools on the list, clarifying that the links were individual not institutional, and the intention was not to generalize or impart blame.[79] Soon after the school controversy, the BNPT's director of prevention released a list of characteristics associated with 'radical preachers,' which included anti-government and anti-Pancasila sentiment. One prominent Islamic scholar countered that criticizing the government should not be directly linked with radicalism, while another accused the Widodo government of instrumentalizing Pancasila to silence political opponents, similar to the Suharto regime's strategy during the late 20th century.[80] In the currently polarized political landscape and anarchic information sphere, this argument does not need to be accurate to be influential.

Ultimately, conceptual clarity of what constitutes violent extremism may be an unreachable goal, particularly where ideological organizations adapt their strategies or shift allegiances. As noted, hard-line 'anti-vice' organizations such as the now proscribed Front Pembela Islam emerged in a different context to violent extremist groups such as Jemaah Islamiyah.

FPI's ideological roots are more Sufi than Salafi, and the organization once issued a fatwa against creeping Wahhabism in Indonesia.[81] Jemaah Islamiyah, the al-Qaeda-linked group responsible for several large-scale bombing attacks in the 2000s, ostensibly relinquished violence in 2007 to focus on *dawa*, while eventually reviving an underground military wing and maintaining longer-term ambitions for Islamist governance.[82] Muddying the waters further, pro-ISIS chat groups in Indonesia found unusually common ground with FPI supporters during the COVID-19 pandemic in branding the Joko Widodo administration as 'un-Islamic' and spreading conspiracies about subordination to Chinese interests.[83] In developing prevention strategies, the government may struggle to uncouple those who genuinely threaten the nation and its people from those who challenge the Widodo administration and its pluralist politics.

Conclusion

In Indonesia, terrorist networks linked to Salafi-jihadi movements have their roots in violent rebellions that emerged during the nation's struggle for independence in the 1940s. Non-violent activist organizations and political parties seeking Islamist governance developed separately, largely emerging from university campus-based activities from the late 1970s. When the authoritarian Suharto regime collapsed in the late 1990s, both the violent and non-violent strands of Islamist advocacy found separate opportunities to emerge from suppression and repression—either in the immediate security vacuum following the revolution, or through the democratic reforms that followed. The violent extremists were energized by events such as the 9/11 attacks in the United States and the rise of ISIS in the Middle East, but their operational networks have also been effectively dismantled by the steady development of Indonesia's counterterrorism policing capacity.

Now, a broader plan of action to prevent violent extremism has emerged, which aims to address the drivers of terrorism and improve coordination among the variety of stakeholders involved, from social services to security agencies, and government institutions to civil society practitioners. The plan may be nuanced, ambitious, and well-intentioned, but it arrives at a time of political polarization, in which many Islamic activists are suspicious of the current government's intentions. With the

Widodo administration's recent campaign of reprisals targeting Islamist organizations, perhaps there is good reason to believe new regulations such as RAN PE could be used for political expediency. Regardless of any particular motivation, constraining the activities of non-violent Islamist activists is unlikely to diminish the appeal of underground militant groups. Instead, the approach may generate the type of frustration and grievance that plays into the hands of those seeking Islamist governance through violence.

15

THE SAHWA IN SAUDI ARABIA
HISTORY AND EVOLUTION

Abdullah Al-Saud

Al-Sahwa Al-Islamiyyah (the Islamic Awakening) movement was an influential social movement that introduced a new form of political Islamist activism that was, at the time, unknown and alien to the local religious landscape in Saudi Arabia. It first emerged as a socio-religious movement in the Kingdom in the 1960s but started to radicalize and became increasingly political in the early 1990s. Even though its main *ulama* and clerics were not part of the official religious establishment and did not occupy any official position of power, they have attempted to promote, and even force, their political agenda onto the Saudi government through various means, such as the submission and publication of petitions and the mobilization of followers in marches and demonstrations, especially during the early 1990s and 2010s, as shall be discussed.

The *Sahwa al-Islamiyyah's* development in the Kingdom was precipitated by an influx of Muslim Brotherhood scholars and intellectuals, expansion and empowerment of religious institutions, and, as a result, the rise of populist pan-Islamic sentiments during the 1950s, 1960s, and 1970s.[1] The movement matured in a context of intensified activist religious climate during the 1980s and rose to prominence in a context of regional

and local political instability and unrest during the early 1990s. The years and decades that followed—in which seminal and consequential local, regional, and international events occurred—were characterized by an uneasy relationship between the main figures of the Sahwa and the state, fluctuating between confrontation and uncomfortable cooperation. This remained the case until 2016, when the new Saudi leadership began implementing social, economic, and religious reforms,[2] and changed the rules of the game. In short, instead of fighting the Sahwa in its own courtyard, it sought to transform the whole playing field.

The term Salafism refers to the first three generations of Islam, which are collectively known as *al-salaf al-salih*, or 'pious ancestors.'[3] The two main principles that Salafism concerns itself with are 'the realisation of God's unity' (*tawhid*), and the 'maintenance of doctrinal purity' (*aqida)*.[4] However, the adherents of Salafism in Saudi Arabia, as in other places, are not a monolithic bloc, and a long-process of cross-pollination between local and foreign religious interpretations and discourses have birthed hybrid variants and trends, most visible within the Sahwa movement. Of the main fault lines and topics of disagreement between the various competing Salafi interpretations are their conceptions of power and politics. At one end, there is the conservative, traditional, or quietest strand that renounces political violence and the use of force, and prioritizes purification and education over politics. At the other end, there is the radical and extremist strand associated with terrorist groups. Both have been engaging in fierce debates, especially since the 1990s, in order to marginalize the role and position of the other.[5]

The Sahwa movement, however, was distinguished by its political activism and non-violent discourse, at least in public. Prior to the rise of the Sahwa movement, the Saudi religious field was dominated mainly by the conservative or traditional Salafi trend, even though there were other much smaller distinct groups such as the Muslim Brotherhood, al-Jama'a al-Salafiyya al-Muhtasibah, and Jama'at al-Tabligh.[6] However, over the past sixty or so years, Saudi society has been the ideological arena in which multiple religious interpretations and discourses contended for dominance and competed to legitimize themselves. One cannot understand the development of the religio-political discourse within the Kingdom without appreciating the central role played by the Sahwa movement in its various

stages. But what exactly is the Sahwa, and how did it originate in the first place before coming to occupy a central place in the Saudi Islamist field?

This chapter examines these questions by focusing on four key periods of shifts and changes that influenced both the Sahwa's focus and priorities as well as the perception of it in the Kingdom. These include the 1980s, which was a period of heightened activism by the Sahwa; the 1990s, which was a period of confrontation between the Sahwa and the government; the 2000s, which was a period of rethinking; and the 2010s, which was a period of attempted—and failed—re-engagement. The chapter concludes by demonstrating how the political opportunity structure as well as the continuous search for relevance have been overriding concerns behind the Sahwa's actions and decisions to confront, or collaborate with, the government during the various stages.

Origin and ideas

When discussing the early development of the Sahwa movement in Saudi Arabia, one cannot ignore the impact of Muslim Brotherhood ideas during the 1960s and 1970s on the young generation of Saudis. Saudi Arabia has long had an uncomfortable relationship with the Muslim Brotherhood. In the late 1950s, and early 1960s and 1970s, Saudi Arabia, along with other Gulf states, gave shelter to many persecuted members of the group fleeing Egypt and Syria, providing them with comfortable lives and in some cases prestigious posts. They fled torture and death in the prisons of their own regimes and found a safe haven in Saudi Arabia at a time when the Kingdom was reviving pan-Islamism during the 'Arab cold war' between King Faisal's project of 'Muslim solidarity' and Nasser's secular Arab nationalism.[7] But it did so on the condition that members of the Brotherhood did not form assemblies, recruit new members, or engage publicly in politics. This ambivalent approach had two competing drivers. Saudi and other Gulf leaders felt a brotherhood with, and a responsibility towards, persecuted Muslims seeking their protection, but they were also uneasy about some of the Brotherhood's underlying philosophical and political principles.

That period also saw the establishment of a number of international Islamic organizations in western Saudi Arabia, such as the Muslim World League (MWL) and the Organization of Islamic Conference (OIC). As

Hegghammer writes, '[B]ecause Saudi Arabia lacked educated manpower at this time, a substantial proportion of the staff in these institutions were foreign nationals, notably Muslim Brotherhood activists from Syria and Egypt who had sought political refuge in the kingdom.'[8] The first expanded meeting following the persecution period of the Muslim Brotherhood under Jamal Abdul Nasser was held during the Hajj season in Makkah in 1973, which was led by the then-leader of the group Hasan al-Hudhaybi. According to Abdullah al-Nafisi, a member of the Muslim Brotherhood himself, one of the main decisions to come out of that meeting was the formation of 'membership committees' to determine active members of the group due to the loss of many original documents during the Nasser era. Six committees were formed to focus their work exclusively on the Gulf in Kuwait, the United Arab Emirates, Qatar, and three locales in Saudi Arabia (Riyadh, Dammam and Jeddah).[9] This massive influx of an exogenous tradition into the local religious field, and the positioning of its intellectual elites in key educational institutions and positions, has helped to develop and crystallize a religious vision that is different from that found in the traditional Salafi or 'Wahhabi' discourse and curricula.[10]

The main Saudi figures who would later emerge as leaders of the Sahwa movement, such as Safar al-Hawali and Salman al-Awda, studied under, and were heavily influenced by, leading intellectual Muslim Brotherhood figures at religious universities and institutions. Among the many influential figures who taught in Saudi Arabia at the time were Abdallah Azzam, the godfather of global jihadism, Muhammad Surur Zain al-Abdin, and Mohammad Qutb.[11] Qutb was the younger brother of Sayyid, 'who became the main representative of the Qutbist wing of the Muslim Brotherhood.'[12] He was considered by many young Sahwis (members of the Sahwa movement) as the 'first educator.'[13] In his master's thesis on 'Secularism,' under the supervision of Mohammad Qutb at the Umm al-Qura University in Makkah, Safar al-Hawali reached the sweeping and unqualified conclusion that secularism represents 'a *taghuti* (idolatrous) *jahili* (ignorant) system that contradicts the oneness of God in two intertwined respects: first, it is ruling by other than God's revelation, and second, it constitutes polytheism in worshipping God.'[14] More conspicuously and reminiscently of Sayyid Qutb's theorization, he stated that 'undoubtedly, the aspects of worship have changed [since the pre-

Islamic Idol worshipping days], but the worshipping of Satan remains the same with new idols substituting the old ones: the state, the ruler … the nation, nationalism, humanity, rationalism, sexuality, and individual freedom.'[15]

In any case, as Commins writes, those figures 'represented not traditional Wahhabism but the impact of Muslim Brothers ideas on young Saudis.'[16] That is not to say that the local Salafi 'Wahhabi' tradition had nothing to do with the Sahwa ideology and movement. The fact of the matter is that, as Lacroix writes,

> 'The ideology of the Sahwa is located at the juncture of two distinct schools of thought with different views of the world: the Wahhabi tradition and the tradition of the Muslim Brotherhood … The tradition of the Muslim Brotherhood is primarily political and was constructed, in its Bannaist version, against the "imperialist West," and in its Qutbist version, against the "godless regimes" of the Middle East. The Wahhabi tradition, in contrast, is primarily religious and was constructed against the *bida'*, that is, the impurities that were supposed to have grown up around the original dogma of the pious ancestors.'[17]

Moreover, a former official at the Saudi Ministry of Interior has also contended that,

> 'The Muslim Brotherhood came [to Saudi Arabia] with their ideas and thoughts, but did not find acceptance because the environment was predominantly a Salafi one. Some Saudis, who later became leaders of the Sahwa, tried to combine, as they say, the pants of Sayyid Qutb with the turban of Ibn Taymiyyah. In other words, they combined the activist Muslim Brotherhood thought and organizational capabilities with the Salafi creed or doctrine.'[18]

Among the Sahwis, the Sururis—a group named after the Syrian Muslim Brotherhood's Muhammad Surur Zain al-Abdin (1938–2016)—were by far the most numerous and influential group. Muhammad Surur spent eight years in Saudi Arabia between 1965 and 1973. He was fascinated by Sayyid Qutb, especially with regards to his revolutionary political theorization

against the Muslim and Arab regimes.[19] However, he was also influenced during his stay in Saudi Arabia by the local Salafi thought and atmosphere. The Sururis represented the hybridization of the radical Qutbist wing of the Muslim Brotherhood, with its overt focus of political activism, and the local Salafi interpretation of creed. Some have come to call this hybrid Sururi trend, which would become the main artery of the Sahwa movement, 'activist Salafism.'[20] According to Surur himself, the Sururiyya was both an organization (*tanzeem*), and an intellectual current (*tayyar*).[21]

One of Surur's many disciples during his teaching years in the city of Buraydah, al-Qassim province, was none other than Salman al-Awda, whose fiery discourse and sermons more than a decade later would contribute to the radicalization of the whole Sahwa movement during the late 1980s and early 1990s. Surur was originally a mathematics teacher at the Buraydah Scientific Institute. However, through his ideas published in several books, journals, articles, and on his al-Sunnah website, he was able to extend his influence upon many young and upcoming Saudi Islamists far beyond the science of math and for a much longer period than his few years in Saudi Arabia.[22]

The most important themes or features of the Sahwi discourse of the 1980s and early 1990s were the protection of the Islamic identity and resistance to the forces of Westernization and foreign encroachment and domination, hostility towards the Shi'a, the rise and flourishing of conspiracy theories to undermine Islamic values and beliefs, and, as a result, the open and public criticism of the Saudi government for its alleged dependency and subordinate position to the West and the United States.[23] The Sururis, and Sahwis in general, used to criticize traditional Salafism and the official religious establishment, for their lack of *fiqh al-waqi'* (meaning both 'the understanding of reality' and 'the jurisprudence of reality').[24] However, despite their criticism, and while they offered a strong political and intellectual opposition to any issue that did not conform with their belief system, 'they did not provide an integrated alternative or even a clear vision towards these issues.'[25] This was admitted decades later by one of the Sahwa's leading figures in southern Saudi Arabia, Awad al-Qarni, who contended to the author that one of the Sahwa's major flaws was the fact that its figures 'used to rush into many positions without accurate perception of the facts of the contemporary reality that influence or impact

the event they are dealing with.'[26] The main problem of the Sahwa's political discourse was beautifully captured by al-Khidr:

> The theorizing [of the Sahwi figures] lacked the logic of contemporary political thought, the awareness of the laws governing international relations, the importance of not overlooking interests and the balance of power, and the danger of filling the public with ideals that are not possible. The problem was not talking about politics per se, as much as it was about the fundamental errors that accompanied that [political] theorization, and the unawareness that religion and politics will be mixed in the public's mind, which [can make an individual] deal with political analysis and theorization, which are dominated by speculations and assumptions, in the same way he/she deals with religion, which contains conclusive views.[27]

Nonetheless, what was the nature of the Sahwa's relationship with the authority and other Islamist groups? And how did it evolve over the decades?

Heightened Islamist activism and the rise of the Sahwa: 1980s

The year 1979 saw three seminal local, regional, and international events that set the stage for a more socially conservative trajectory in the Kingdom, endorsed by its political authority, and a more politicized activist approach by the Sahwa movement, utilizing and exploiting the new climate to reach new heights. The effects of these events would reverberate through the subsequent decades, not only in Saudi Arabia but throughout the world. First was the Khomeini revolution in Iran in February 1979 that established an Islamic republic on the ruins of a monarchy. The main lesson from the revolution was that, as Lacey writes, '[A]ll the Shah's modernization had proved helpless against the supposedly outmoded power of religion.'[28] Through leaflets, radio stations, and tape cassettes, Tehran sought to export its revolution and vehemently attacked the Saudi leadership.

Second came the Makkah rebellion in November 1979 led by Juhayman al-Otaybi.[29] Juhaiman and his group, al-Jama'a al-Salafiyya al-Muhtasiba (The Salafi Group that Commands Right and Forbids Wrong), which was

established in 1965, used to conduct their missionary work in public. However, the gradual radicalization of his views on a number of issues alarmed some religious scholars in 1977.[30] Millenarianism, the idea of the expected *Mahdi* (the 'rightly guided one') who would come and correct the problems of mankind, would come to be a distinctive feature of his movement around a year later.[31] This idea, according to the former member of the movement Nasir al-Huzaimi, was central to its progression from missionary work to revolutionary violent action, which manifested itself in the siege on the Holy Mosque of Makkah, the declaration of rebellion on the Saudi government, and the condemnation of the official religious scholars (*ulama*).[32] Lastly was the Soviet invasion of Afghanistan in December 1979, which started a sequence of events that unleashed the era of modern transnational and globalized jihadism.

In order to counter accusations of the country's drift towards a secular direction and betrayal of the tenets of Islam, the Saudi government placated conservative religious elements and instituted stricter regulations on public morality. The combined forces of these three events created a favourable context conducive to the rise of Islamist activism and pan-Islamism, with the main beneficiary being the Sahwa movement. Much of the Sahwi activism in Saudi Arabia, especially during the second half of the 1980s, revolved around two main issues. The first was support for the Afghan jihad. This was a period when the cause of the Afghan jihad was an uncontroversial one and enjoyed support from both the Saudi and American governments. However, '[O]ne of the main targets of the jihadi recruiters was the young Sahwis who, despite the reluctance of their leaders, were predisposed by their training to back the Afghan cause with enthusiasm.'[33] The real significance of the Afghan experience lies in the fact that it politicized the Saudi Islamists and volunteers, who 'had virtually no concept of violent anti-regime activism,' and exposed them to politically heated debates and openly Islamic political activism.[34]

The second issue was the fight against the perceived forces of Westernization in society, with the main rival being the modernist literary current (*al-hadatha)* and its main figures.[35] One cannot mention that period without referring to the 1988 Awad al-Qarni book *al-Hadatha fi Mizan al-Islam* (Modernity on the Scale of Islam), which included an introduction

from the then Mufti of Saudi Arabia Sheikh Abdulaziz Ibn Baz. As al-Khidr describes it,

> Despite the book's weakness in many of its methodological aspects, it must be recognized that it was the most important book that had an impact in the Saudi scene during the eighties. It achieved its target by the easiest way, which is the condemnation of an entire current and its symbols both home and abroad … The book was the reason behind the elimination of the modernist literary (*al-hadatha*) movement as well as the flattening of the cultural awareness among the broad Islamist current.[36]

Towards the end of the decade, the leading figures of the Sahwa had become household names, and the movement began to expand its followers. Part of its appeal resulted from the fact that it provided alternative points of view on many hotly debated social and political topics at a time when, prior to the advent of satellite channels and the internet, the only available narrative was the official one. By appealing to the sympathies of senior scholars in Saudi as well as utilizing new tools, cassette tapes would swiftly circulate their mosque sermons around the country, allowing the Sahwa to increase their influence and ensure their leading position in the Saudi Islamist scene.

The decade of politicization, confrontation, and co-optation: 1990s

The 1990s was a period of regional shifts that pushed the Sahwa towards more militancy, radicalism, and, ultimately, confrontation with the political authority. Saddam's 1990 invasion of Kuwait and the subsequent Gulf War had a tremendous impact on the religious-political discourses of various Saudi Islamist currents, in particular the activist Sahwi discourse. The crisis was a crucial catalyst for the politicization and radicalization of the Sahwa as a movement with regards to its position towards the official religious institution and the 'secularist' liberal intellectuals who have, according to them, long been plotting to Westernize society and seize control of the state. A new escalation, however, was the gradual, but clear and open criticism and agitation against the political authority in Saudi Arabia.

The Saudi decision to invite American troops to the Kingdom to help liberate Kuwait was very contentious at the time and, in the eyes of many Islamist Sahwis, 'seriously undermined the Kingdom's pan-Islamist credentials.'[37] While the Council of Senior Scholars, the highest official religious authority in the Kingdom, issued a fatwa affirming that the political decision to invite foreign non-Muslim troops was dictated by the painful reality and made permissible due to the necessity of the situation, many Islamists and Sahwis did not view it as such, and voiced their strong criticism and opposition as a result.[38] It is important to point out, however, that as Lacroix highlights, the 'Sahwi ideology contained in embryo the fundamentals of a discourse of political opposition, and most of the figures who inspired it—including Muhammad Qutb, Abd al-Rahman al-Dawsari, and Muhammad Ahmad al-Rashid—had been opposition figures in their countries of origin.'[39]

One heated and very telling argument that captures the divisions and charged atmosphere at the time involved the late intellectual bureaucrat, former minister Ghazi al-Gosaibi, and many of the leading figures of the Sahwa. Beginning in autumn 1990, al-Gosaibi started publishing a daily column in the newspaper *al-Sharq al-Awsat* entitled 'In the Eye of the Storm,' defending the position of the state to seek US help in liberating Kuwait from Saddam's aggression, and attacking politicians and Islamists, mainly the Muslim Brotherhood intellectuals, who, explicitly or implicitly, sided with the Iraqi dictator.[40] Through a number of lectures, the main Sahwi clerics Salman al-Awda, A'yid al-Qarni, and Nasir al-Omar, among others, reacted vehemently to what they perceived as an attack from a known 'secularist' on their special preserve speaking about religion and arguing that fatwas were changeable according to time and place.[41] Al-Gosaibi answered their charges in a vitriolic book entitled *Until There Is No More Fitna*, in which he accused the Sahwis of seeking power above anything else and called on them to stick to their field of specialization.[42]

It is worth noting that as the fast-moving events progressed, a noticeable shift occurred in the tone and focus of the Sahwi discourse, especially that of Salman al-Awda—from religious issues and concerns of moral disintegration towards more civil and political rights and concerns. This late realization and shift, according to al-Khidr, was mainly dictated by the necessities of public mobilization.[43] The Sahwa's attempts to force their

agenda onto the government intensified as their rhetoric and critique escalated, first through the two main petitions, namely the *Letters of Demands* and the *Memorandum of Advice*, and then through the emergence of an organized opposition from within the Sahwa ranks that culminated in the creation of the CDLR (the Committee for the Defense of Legitimate Rights).[44] As a result, the government gradually moved towards a firmer approach, which culminated in 1994 with the detention and imprisonment of leading Sahwi figures and intellectuals.[45]

As a result of the radicalization of the Sahwi positions, an informal alliance aimed at attacking the regime and the official religious establishment began to form between the Sahwis and the jihadists. The November 1995 car bomb explosion that killed five Americans and two Indians at a National Guard training facility in Riyadh was the first bloody demonstration of this association.[46] Even Osama bin Laden sought to present himself as the heir of the movement and capitalize on the events taking place between the political authority and the Sahwi opposition. This was evidenced by the letter he sent to the then-Mufti of Saudi Arabia, Sheikh Abdulaziz Ibn Baz, in which he stated:

> When the regime decided to oppress sheikh Salman al-Awda and sheikh Safar al-Hawali, who voiced the truth and endured, in the sake of God, harm, it extracted a fatwa from you justifying all the oppression and abuses the two sheikhs, and the preachers, scholars and youth who are with them, have gone and are going through.[47]

The main opposition figures of the Sahwa, such as Salman al-Awda and Safar al-Hawali, who were detained in 1994, were released from prison around four years later towards the end of the 1990s. Following their release, to the shock of some of their followers, the once public hawkish discourse of the radical Sahwi leaders was replaced by a less confrontational and more dovish one. While it is difficult to know for certain the motives behind such a shift, it seems, as always, pragmatism, calculations of the political opportunity structure and, most importantly, the changed environment that they soon found themselves in played important roles. The 9/11 terrorist attacks and the subsequent violent campaign of al-Qaeda in Saudi Arabia that started in 2003 were important instigators behind the Sahwi leaders attempts to distance themselves from their

erstwhile inflammatory, confrontational, and emotionally charged discourse. However, their lack of public recantation or 'revision' of some of their previous radical positions and sermons, with the exception of A'yid al-Qarni around two decades later, has led some to question the sincerity of their newfound convictions. According to Dr. Khalid al-Drees of King Saud University, this distancing was required since some people have gone astray, espousing violence and joining terrorist groups, as a result of their previous speeches, sermons, and ideas.[48] Nothing testifies to this nor exposes the Sahwi main figures' radicalizing role more than the 2003 letter of jihadist ideologue and AQAP's first leader Yusuf al-Uyayri, entitled 'The Global Campaign to Resist Aggression: Falsity, Deception and False Slogans,' in which he wrote,

> We say Glorious is Allah how concepts have changed. Yesterday, Safar [al- Hawali] authored books in which he indicates that the Arab tyrants (*tawa'gheet*) are the worst threat to the nation (*umma*) who changed the religion of Allah and are the cause of its corruption, ignorance and suppression. Salman [al-Awda] has fiery cassette tapes that warn of these tyrannical governments … We do not want to convey what proves this from their books and their words; all of those who know them are sure that these were their earlier views. We come today and see the *sahwa* (awakening) of yesterday turns into '*ghaflah* (negligence).[49]

Both the internal and external contexts in which the main Sahwi figures found themselves upon their release were different from the ones prior to their detention. In addition to the major events mentioned earlier, there was also the authorization of foreign satellite channels, the introduction of the internet for public use in 1999 with its public debating forums, and the rise of more radical voices—the so-called neo-jihadists, who moved from the fringes to claim a more central position in the movement in the Sahwa movement.[50] All of those factors changed the environment completely in just a few years and meant that, in order to remain relevant, the Sahwi leaders had to compete to re-establish themselves as alternative religious authorities in a more crowded space.

The decade of globalization and 'the War on Terror': 2000s

The 2000s decade, with its history-altering events, forced many figures of the Sahwa movement to re-evaluate and adjust their positions, and contributed to the development of a brief period of détente between it and the government. The turn of the new millennium saw the confluence of several events, both locally and internationally, that made the political opportunity structure favourable to the rise of the global jihadist trend and its local neo-jihadist ideologues in Saudi Arabia. Following the failed Sahwa insurrection of the 1990s with its campaign of agitation and incitement, the late 1990s and early 2000s saw the passing of two central and stabilizing figures in the Saudi Islamist field—the former Mufti of Saudi Sheikh Abdulaziz Ibn Baz in May 1999, and the highly respected member of the Council of Senior Scholars Sheikh Mohammad Ibn Othaymeen in January 2001. There was also the eruption of the second Palestinian intifada in September 2000, as well as the destruction of the Buddhist statues by the Taliban in Afghanistan in March 2001.[51] These events coincided with the advent and wide use of new media, especially the internet, which became the most commonly used means of communication for the majority of Saudis in debating the repercussions and meanings of these events.

During those early stages in the 2000s, there were no attempts to control or counter extremist content online, so the internet provided extremists with the perfect tool to disseminate their messages unhindered. As al-Shihri writes, ‘electronic sovereignty seemed, at the time, as if in the hands of extremist groups, enhanced by their dynamic ability to exploit the contradictions and frustrations of the Arab and Muslim reality.’[52] The 9/11 attacks, and the subsequent US invasions of Afghanistan and Iraq in 2001 and 2003, only increased the pace of transformations. It was the dawn of a new era with fast-paced changes that prompted a period of rethinking and attempted reinvention on the part of the main Sahwi leaders, most prominently Salman al-Awda.

In the face of mounting criticisms and accusations of fomenting discontent and contributing to the radicalization of Saudi Islamist youth due to their radical and emotionally charged discourse a decade earlier, Sahwi leaders took a defensive stance and sought to distance themselves from the rising neo-jihadists. This charge, however, was not entirely made up and was supported by subsequent events and circumstances. In the summer of 2000, a very embarrassing letter by al-Uyayri, who as mentioned above

would later lead AQAP's violent campaign in Saudi Arabia, was sent to al-Awda, which illustrates the influence the latter had on shaping the views and opinions of future Saudi jihadists, many of whom were in fact former Sahwis. In its preface, al-Uyayri states:

> We know with certainty that the call of our blessed awakening was heard by your [al-Awda's] voice, and it changed reality by your efforts, and with your thinking and guidance it balanced its approach. You have the merit, after God, above all other scholars and advocates for what this awakening has achieved, knowing that we have only learned the *manhaj* (approach) from you.[53]

However, following the 9/11 attacks, specifically in April 2002, a number of Sahwi leaders, including Salman al-Awda, Safar al-Hawali, and Nasir al-Omar, signed a public statement entitled 'How We Can Coexist,'which called for a culture of tolerance and respect for the other, and was one of the first signs of the new direction the main Sahwi leaders intended to embark on.[54] Many Sahwi supporters did not accept the statement, and this presented an opportunity for the neo-jihadists to paint themselves as the true heirs of the Sahwa insurrection, and claim its legacy by attacking its now 'wavering' former leaders as 'defeatist traitors.' Both Nasir al-Fahad and Ali al-Khudayr, among others, condemned the statement as 'a danger to *tawhid*' and an invalidation and denigration of both *al-wala' wa al-bara'* (loyalty and disavowal) and jihad.[55] Under pressure, the three Sahwi leaders issued a 'clarifying statement,' in which they 'abandoned all they signed in the first statement.'[56] However, that was not enough for the rising neo-jihadists, who doubled down on their attacks in an effort to appeal to the many Sahwis disenfranchised with their previous leaders.[57]

The turning point, however, was the onset of AQAP's violent terrorist campaign in Saudi Arabia in May 2003. It was in its aftermath, while the radical neo-jihadists were rounded up and imprisoned, that the cold relationship between the political authority and the former Sahwi leaders started to get warmer. The Sahwis, seeking to survive the waves of criticism, issued strong statements condemning the attacks, and the government, seeking to utilize every weapon at its disposal in the fight against this new wave of terrorism, allowed the Sahwis more freedom and space to operate and convey their messages. This was epitomized by the

live TV show 'The Cornerstone' (*hajar al-zawiyah*), which used to air on the Dubai-based Saudi-owned MBC channel for 30 days during the holy month of Ramadan from 2004 until 2009, as well as the show 'Life Is a Word' (*al-hayat kalimah*), which used to air weekly on the same channel until it was cancelled abruptly in early 2011.[58] The sole star of both shows, Salman al-Awda, used this widely watched platform to successfully reinvent himself both in look, with a less chaotic and more trimmed beard, and in discourse, with a less stringent and more inclusive message that appealed to a more diverse audience.[59]

The 2000s decade was marked by a global as well as domestic focus on the 'War on Terror.' The Saudi government embarked on a number of initiatives in an effort to open up society, combat radicalization, and strengthen nationalist sentiments and identities to counter the negative effects of heightened pan-Islamism prevalent in the previous decades. In addition to widening the room for debate and discussion and loosening restrictions on freedom of expression in the local press and media, the Kingdom established the King Abdulaziz Centre for National Dialogue and the National Commission to Fight Corruption, declared the national day as an official public holiday and encouraged its celebration, and started the very large and ambitious King Abdullah Foreign Scholarship Program. The Sahwi scholars understood the mood of the decade very well, and in order to maximize their appeal and remain relevant, influential and competitive in the new open media market, they adopted a tone and politics that 'border[s] on being oppositional but supportive, confrontational but anti-violent.'[60]

The decade of regional uprisings and new visions: 2010s

It would be an understatement to say that the 2010s have been momentous. Their significance lies in the way they altered the dynamics of the relationship between the Sahwa and the government, from renewed activism and attempted pressure from the former towards the latter, to then unwavering determination to curb and stifle the former's influence by the latter. The decade started with a significantly consequential wave of revolutions, dubbed the 'Arab Spring,' that started in Tunisia and swept across many countries in the Arab world. While the revolutions failed to take root in Saudi Arabia, their impact on the debates and actions of the Sahwa and local political Islamists, who saw their 'comrades' participating

and seizing power throughout the region, was immense.[61] The Sahwi Islamist figures met the uprisings with enthusiasm and support, as opposed to the disapproving stance taken by the official religious establishment in Saudi Arabia.[62]

In the wake of the uprisings, the discourse of the main Sahwi figures started to shift and become increasingly more political. In February 2011, many of them, including Salman al-Awda, Nasir al-Hunayni, and Suliman al-Rushudi, joined other activists and constitutional reformists in signing a public petition entitled 'Towards a State of Rights and Institutions.'[63] This coincided with various calls in online pages for a '*Hunayn* revolution' to take place in Saudi Arabia on 11 March 2011.[64] However, the revolution did not materialize, and its failure prompted many Islamist activists and reformist radicals longing for drastic change in the Kingdom, most of them with a Sahwa background, to search for other avenues through which to mobilize the masses and exert pressure on the Saudi government.

Those avenues were both regional and internal. The regional avenue was the Syrian revolution, which became the central cause for Sahwa scholars and activists. As Locroix writes,

> Some Sahwa sheikhs, who could easily gather donations from their followers, even became major channels of funding for the Syrian armed opposition. Their activities became so numerous and visible that, in May 2012, the regime decided officially to forbid such prominent sheikhs [such] as Muhammad al-'Arifi (who had just founded an ulama committee to help Syria, *lajnat al-'ulama li-nusrat Surya*), Ali Badahdah and Abd al-Aziz al-Turayfi from collecting money for Syria outside official channels.[65]

The internal avenue was the issue of 'political prisoners,' which was the main focus of the *Fukko al-A'ani* ('set free the captive') social media campaign that fuelled a series of marches and sit-ins throughout 2012 and 2013, especially in the city of Buraydah.[66] Despite the fact that the majority of so-called 'political prisoners' the campaign advocated for were individuals detained during the previous decade in relation to AQAP's terrorist campaign, the ambiguity of the slogan and the crafty manipulation of its human rights and reformist aura succeeded in mobilizing many to its

cause.[67] This was especially true for Sahwi Islamists on social media.[68] On 16 March 2013, al-Awda Tweeted an open letter criticizing the government's handling of the detainee issue, demanding their release or fair trial for all of them, and warning of dire consequences if the situation did not change as 'the continuity of the status quo is impossible, the only question is … where does the path lead?'[69] The government's response to the series of demonstrations and sit-ins throughout 2012 and 2013 was to intervene and make some arrests, although they would usually only last for a few days and did not lead to prosecutions.

To some extent, the campaign succeeded in engraving a deep sense of aversion and antipathy towards the state and its government within some Islamist circles, especially among those with previous kin or friendship ties with detainees. It is no surprise that radical and extremist groups would reap the rewards of such sentiments. We now know of six confirmed attacks, or foiled attacks, that took place as part of the so-called 'Islamic State's' (IS) terror campaign: five in Saudi and one in Kuwait during the years 2015 and 2016, perpetrated by individuals who were active participants in the demonstrations and sit-ins that took part in Buraydah city as part of the *Fukko al-A'ni* campaign two or three years earlier.[70]

However, Islamist activism and participation in public demonstrations and sit-ins during those early years following the onset of the Arab uprisings were not limited to the issue of 'political prisoners.' The government's decisions to appoint women to the Shura Council and allow them to work as cashiers, for instance, sparked collective mobilizations and visits by a number of Islamists in protest of what they perceived as policies of social liberalization. These visits included the famous gathering of 200 Islamists at the Ministry of Labour in December 2012, and the two separate protests by tens of clerics in front of the Royal Court in January 2013.[71]

In 2015, King Abdullah passed away and, with the ascension of King Salman to the throne and the rise of his son, the current Crown Prince Mohammad bin Salman, a new era was heralded in the Kingdom. In 2016, the new ambitious Vision 2030 was announced and launched by the Crown Prince, which aims to create a vibrant more tolerant society, diversity and sustainability of the economy, and the introduction of accountability in the works of government.[72] What few anticipated at the time was the pace of change the Kingdom—previously known for being cautious and gradual in

its reforms—was about to embark on. In front of a local and international audience at the Future Investment Initiative Forum, or Davos in the Desert as it became to be known, in Riyadh in October 2017, the Crown Prince made his views very clear on the Sahwa and political Islamism in general:

> The Sahwa project has spread in Saudi, and the whole region, after the year 1979 for many reasons that are not our focus today. We were not like this before. We are only returning to what we used to be, a moderate tolerant Islam that is open to the world, to all religions, traditions, and peoples. 70 percent of [the] Saudi population is under 30 years old; and in all honesty, we shall not waste another 30 years of our lives dealing with any extremist ideas. We will destroy them now and immediately.[73]

Even though the most well-known political Islamist group, the Muslim Brotherhood, was designated a terrorist organization in Saudi Arabia about three years earlier, during the reign of King Abdullah in 2014, it was obvious that the ascension of the fresh, young, and energetic Saudi leadership marked a turning point in the nature of the relationship between the government and activist political Islamism in general.[74] Whatever space was given to Saudi Islamists and Sahwis to voice their direct or indirect criticism of government policies, especially given the breadth and depth of the new social and economic reforms the Kingdom was about to embark on, was no more. There was a determination not to allow Islamists to engage in incitement and agitation against the rulers, or insinuations that the senior scholars are ignorant in reality or 'puppets' in the hands of the rulers, because of the belief that doing so would sow the seeds of discontent and could lead to the development of thoughts that set one off towards the path of radicalization and violence.[75]

Resetting the dynamics of the relationship between the political and the religious, and regulating the latter's work, was not limited to the unofficial sphere. In April 2016, an important piece of reform, with real impact on the ground, clipped the long-held powers of the official government entity known as the Commission for Promotion of Virtue and Prevention of Vice. The new regulation prevented it from stopping, seizing, interrogating, investigating, or making any arrests, and limited its authority to the submission of reports and official notifications of violations to 'the only

two competent bodies' to follow with subsequent procedures: The Police or the General Directorate of Narcotics Control.[76]

In light of this new environment, some former Sahwa scholars, such as Mohammad al-Arifi, fell into either voluntary or involuntary silence, while others, such as Salman al-Awda, Nasir al-Omar, and Awad al-Qarni, were detained and are facing prosecution.[77] One of the few exceptions is A'yid al-Qarni who, in a live TV interview on the *al-Liwan* programme during Ramadan (May) 2019, delivered a sweeping apology to Saudi society on behalf of the whole Sahwa for its mistakes and 'constraints on people' that 'contradicted the Quran and Sunnah, the tolerance of Islam, and the merciful moderate nature of religion.'[78] He continued to argue that he is now an advocate of 'the moderate and tolerant Islam that is open to the world, [our] true religion which the Crown Prince has called for,' and that his own understanding of religion has changed since he was '24–26 years old with the Sahwa,' as in the intervening years he has 'visited forty countries, read thousands of books, and sat with [various] scholars, intellectuals, and wise men.'[79]

Conclusion

One fact that transpires from the aforementioned historical analysis is that the actions and decisions of the Sahwa's main figures, during different stages throughout the decades, were largely influenced by two factors: a cost-benefit analysis of the political opportunity structure, and a continuous search for relevance. Extending reach and augmenting following has always been an overriding concern, but one that needed to be balanced with both the constraints and/or opportunities available resulting from developments in internal or external environments.

The first Gulf War of the 1990s as well as the 2011 Arab uprisings convinced many political Islamists to adopt more radical and critical positions in the hope of increasing pressure on the government and advancing their own political narrative and agenda. The terrorist attacks of 2001 in the US and 2003 in Saudi, on the other hand, prompted the adaptation of more moderate positions, both to escape accusations of extremism and remain relevant in a changing local and international context.

While the relationship between the Sahwa—and political Islamism in general—and the political authority in Saudi Arabia has fluctuated between confrontation and cooperation throughout the past decades, it has never reached the low point of complete breakdown like the one we are witnessing today. The current Saudi leadership seems determined to forge full speed ahead with its ambitious vision of social, economic, religious, and institutional reforms, and is thus unwilling to tolerate any sign of opposition or radical positions that may interrupt or divert attention and resources from the task at hand.

16

‘EXTREMISM IN ALL THINGS IS WRONG’

CONTEXTUALIZING MOHAMMED BIN SALMAN’S LEGAL REFORMS IN SAUDI ARABIA

Shiraz Maher

Speaking at a conference in October 2017 to announce plans for the development of an economic zone housed in the ultra-futuristic city dubbed ‘Neom’ (with 500 billion USD behind it), Mohammed bin Salman also took the opportunity to discuss issues beyond just economics whilst on stage. ‘We are returning to what we were before—a country of moderate Islam that is open to all religions, traditions and people around the globe,’ he said.[1] These remarks were off-the-cuff and spontaneous, but they revealed something important about the way Bin Salman had been thinking about the traditional governance model in Saudi Arabia, where the House of Saud has ruled with input and advice from the clerical establishment led by the family of Mohammed ibn Abd al-Wahhab (known as the Al al-Sheikh family). He was a nomadic scholar who helped Mohammed bin Saud establish the first Saudi state, thereby creating an understanding between the two families where the al-Sauds traditionally managed overtly political matters such as diplomacy, economics, foreign policy, and administrative affairs, whilst the religious establishment took responsibility for social

affairs, public morality, and education. This pact has, in one form or another, underwritten the Saudi state ever since.

Continuing his conference remarks, Bin Salman noted that 'seventy percent of the Saudi population is under 30, and honestly, we will not spend the next 30 years of our lives dealing with destructive ideas. We will destroy them today and at once.'[2] These statements may have grabbed international attention, but they were just threadbare soundbites lacking substance. That much is understandable, given that Bin Salman was speaking at a business forum with the likes of Christine Lagarde and Maria Sara Bartiromo in attendance, who were hardly his primary audience.

It was four years later in April 2021 that Bin Salman offered further insights into his thinking—this time in much greater detail. Making himself available to one of Saudi Arabia's most celebrated journalists, Abdullah al-Mudaifer, he spent 90 minutes addressing his fellow Saudis about what the contours of a refashioned relationship between religion and state should look like. What Bin Salman proposed was a fundamental rethink about the nature, manner, and form of Islam's relationship with the state. To do this, he proposed that Muslims should recast the way they think about one of Islam's primary sources of law, the *hadith*—which are collections of teachings, sayings, actions, and traditions attributed to the prophet Mohammed.

This chapter is concerned with charting the ways in which Mohammed bin Salman has presided over a series of ambitious legal reforms within the kingdom to make it a more attractive and stable base for investment. This has meant tackling two particularly thorny aspects of the Islamic penal code. The code itself is divided into three broad parts which are: (i) *hudud*, which are considered grave sins constituting 'crimes against God' where Islamic scripture outlines the crime and punishment; (ii) *qisas*, which is broadly comparable to the law of torts in Western legal systems, relating primarily to personal injury and negligence with an accompanying regime of restitution and compensation; and (iii) *tazir*, which are discretionary punishments in areas where there is no explicit textual injunction (for example, setting a punishment for speeding on the motorway).

Bin Salman's reforms address two of these areas in quite profound ways. The first relates to the role of customs or social norms, known as *urf*, which are used to inform rulings under the *tazir* category of punishments. Because Saudi society has generally been relatively conservative, judges

have tended to extrapolate fairly draconian rulings based on the principle of *urf*. Moreover, because the Saudi legal system does not operate on the principle of *stare decisis* (legal precedent), cases that are otherwise materially similar can sometimes produce wildly different outcomes based on the individual reasoning of the judge. Bin Salman has sought to tackle this in order to create greater social empowerment for women, not least so that they can become more active in the workforce. He has also addressed it so that a more stable and predictable legal system emerges in which foreign investors can have confidence.

The second area relates to *hudud* punishments which include things such as flogging, amputation of limbs, execution, and stoning to death. Bin Salman has sought to liberalize understandings relating to these punishments by entering a complex and contested theological space in order to create space for his economic reforms at home. This includes creating a thriving entertainment and sporting industry which attracts tourists, whose foreign exchange will be crucial to the future health of the Saudi economy. Again, there is an obvious economic imperative behind these reforms, although Bin Salman has not shied away from tackling the highly sensitive religious issues behind them. These are explored in more detail below.

This chapter therefore argues that Bin Salman has attempted to address and unpick difficult questions about Islam's standing within the modern state in order to marginalize conservatives. Moreover, it explores and explains how he has done this, and reveals the new legal system he is developing. The views offered in his 2021 interview are perhaps the most consequential offered by any Saudi politician since the kingdom was first founded and, indeed, have reverberated well beyond the kingdom's borders. This is partly informed by his own training in law, which he studied at King Saud University, but also by his socio-economic realism. Put simply, he recognizes the bald reality that Saudi Arabia cannot survive as it is. The kingdom will have to reform, diversify its economy, and broaden labour force participation if it is to realize the aspirational goals of Vision 2030.

Embracing the modern and codifying urf

Bin Salman's attempts to codify Saudi law represents a revolution in the development of a modern legal system within the country. Thus far, Saudi law has largely operated by extending a personal mandate to individual

judges to interpret Islamic law (sharia) as they see fit in relation to *tazir* issues, which they have done with reference to *urf*, or custom. The term itself stems from the Arabic root verb *arafa*, which can be translated as 'habit' but which, in this context, can be roughly understood as that which is inherently known. Shafi'i Bello defines it as follows: 'the habits of a few or even a substantial minority within a group do not constitute *urf*. It is the collective practice of a large number of people.'[3]

The word is also related to the Quranic term *ma'ruf* which is found in several famous verses imploring believers to 'enjoy what is right.' Thus, whilst *urf* is not a formal part of the Islamic legal system, it is used by Muslim jurists to guide their interpretation of certain rules or to imagine what the overarching purpose of the sharia may be on a particular social matter where there are not many explicit injunctions.[4] Whilst this approach still gives primacy to the Quran and *hadith* as sources of law, it is aimed to give their manifestation a local flavour by refracting it through the prism of prevailing local norms.

In this way, *urf* can be seen as having a supporting role to the interpretation of texts and Islamic rules, but in an enlightened way that keeps them updated in accordance with prevailing norms. '*Urf* or Customary law is one of the most important supporting sources in Islamic law,' argues Shafi'i Bello. '*Urf* or customs will be inherited by generations until the [*sic*] come of other customs that can overrule the earlier ones.'[5]

Unsurprisingly, the discretionary element regarding interpretations of *urf* has both presented and maintained a 'wildcard' element in the judicial system, subverting it to the whims of individual judges. Bin Salman has now acted against this, introducing a process in February 2022 that will accelerate the codification of law across four distinct areas: (i) personal status; (ii) civil transactions; (iii) the penal code of discretionary sanctions; and (iv) the law of evidence.[6] 'The world follows clear laws that regulate the lives of people,' he explained, before continuing:

> If you want to double foreign investments, as we have done, from five million to 17 million, and you tell investors to invest in your country that is running on an unknown system that their lawyers do not know how to navigate nor know how those regulations are applied and enforced, then those investors will just cut their losses

> and not invest all together. When you want to attract certain talents and human resources to work in the Kingdom of Saudi Arabia and say that you have a new invention for enacting laws, no one will come to you. So, you will have to adopt the laws that are internationally recognised based on your constitution, the Quran, and your interests and objectives.[7]

This is a careful, nuanced statement from Bin Salman. He accepts that *urf* needs to be updated to reflect prevailing social norms in a country where the vast majority of the population is under 30 and where they are far more globally connected than their older, clerical counterparts. In this regard, Bin Salman wants his reforms to open the once hermetic kingdom to the world, thereby attracting not just economic investment but also tourism. Yet, he is also careful to note that such changes should nonetheless have a distinctly Saudi character to them, being refracted through the Quran which serves as the country's constitution.

Rules pertaining to the previous ban on women driving, for example, do not have a scriptural basis under conventional Islamic law. The prohibition was grounded in Saudi customs, with a ruling from the Permanent Committee for Scholarly Research and Fatwas (*al-lajna al-da'ima lil-buhut al-ilmiyya wal-ifta*), the country's highest clerical authority. Basing their ruling on generalized conceptions of 'modesty,' 'safety,' and 'guardianship,' they reasoned that driving would expose women to undue moral risks and that, therefore, they should be prohibited from driving.[8] This was then adopted into law by the Ministry of the Interior, formalizing the ruling in 1990.[9] When the women's rights activist Manal al-Sharif began challenging the driving ban in May 2011, after launching the campaign hashtag #Women2Drive, she was told by religious authorities that she was not violating any specific injunction from the Quran. 'You violated *urf*,' she was told.[10]

This has been the easiest aspect of the Saudi legal system for Mohammed bin Salman to address and, indeed, is the reason why he tackled it first. Almost exactly one year after he was appointed Crown Prince, Saudi women were allowed to drive in what became an iconic symbol of the legal reforms Bin Salman would continue to oversee. Other reforms followed in August 2019, which involved the relaxing of 'guardianship' rules for women over 21 who can now report births,

marriages, and divorces, seek a passport, and travel abroad without the permission of a male 'guardian.'[11] It must be noted, however, that most of the prominent female activists who campaigned for the very reforms that were ultimately granted were nonetheless arrested in a series of crackdowns against civil society activists. Almost all later reported mistreatment during their periods of detention, including physical abuse.[12]

When Bin Salman later introduced the codification of personal status laws—hitherto undefined—in February 2020, his intervention marked a sea-change in Saudi approaches to the issue. These are laws that relate primarily to family matters including issues such as marriage, divorce, custody of children, and alimony payments.[13] Women's rights activists who long campaigned for codification in this area, because the ambiguity surrounding it impacts them disproportionately, had their hopes raised in 2013 when the previous monarch, King Abdullah, presented a draft resolution on the issue. Those hopes were ultimately dashed, however, when the resolution was frustrated by the machinery of government, and nothing materialized from it. Bin Salman took no such chances, announcing that his resolution would become adopted law within 90 days of the announcement. 'It appears that the debate over codification of the PSL [personal status law] has been settled,' wrote Hala Aldosari. 'For women in Saudi Arabia, a codified PSL is a major announcement considering the Kingdom is currently the only country in the GCC [Gulf Cooperation Council] where this part of law remains uncodified.'[14]

By introducing these reforms, Bin Salman has not dismissed the role of *urf*, but is instead calling for some customs, particularly those regarding women, to be reinterpreted in a modernist way. In this respect, he sees himself as affirming, rather than undermining, Islamic precepts that he believes should be continually situated within their appropriate setting—notably, of not just time and place, but also the prevailing international climate. By doing this, he is seeking to renew what it means to be Saudi in the modern world, to recast that understanding, and to mould it in accordance with the world in which Saudi Arabia finds itself competing—albeit with an accompanying campaign of domestic repression.

Reconsidering the hadith *from a legal perspective*

The most dramatic element of Mohammed bin Salman's proposed reforms came in his April 2021 interview with Abdullah al-Mudaifer, when he sought to recast the way in which the *hadith* are understood. There is an entire science surrounding the *hadith* and their classification—for example, examining the individual narrators of a particular event, or assessing whether the number of people involved in a chain of narration are among some of the factors used to determine whether a particular report is *sahih* (sound), *hasan* (good), or *dhaif* (weak). There are other factors too, but the exact nature of *hadith* sciences sits well beyond the scope of this book. Yet, brief consideration of these categories helps illuminate the difficulties that surround the challenges in establishing the veracity of a particular *hadith* attributed to the prophet.

One aspect of the classification system relates to the numbers of people involved in narrating a particular event all the way back to the prophet himself, with the examination of these chains of narration being known as the *isnad* (literally meaning 'support' or 'backing'). For example, if 100 people narrated a particular incident in which they heard the prophet say a particular thing, then the strength in numbers involved in the report makes it almost impossible that such a large group could either be collectively mistaken or would have engaged in a conspiracy to fabricate something. Jonathan Brown explains:

> Reports about the past, whether *hadiths* or simply historical accounts, that were so widespread that they could not have been forged by any one group were called *mutawatir* (massively transmitted) and yielded epistemologically certain knowledge (*ilm yaqin*).[15]

Mutawatir (literally meaning recurrent/frequent) can be further classified into those which are *mutawatir* in wording (*lafzi*) or meaning (*ma'ani*). In such cases, the first type would be verbatim narrations, whilst the latter convey the meaning or essence of an event. Unsurprisingly, the overwhelming majority of *mutawatir* hadith are *ma'ani* narrations. It is worth stating that different scholars have varied the number of narrators required for a hadith to be considered *mutawatir* although the minimum is usually three or five. Thus, where something is deemed *mutawatir* through transmission, it can be thought of as providing something definitive which

then forms the basis of not just action, but also enters the *aqida*, which is the doctrinal creed or essential components of the Islamic belief system.

Things become more complicated when only a small number of narrators are involved, perhaps one or two (or up to four in collections where five or more narrators are required for a *mutawatir* classification). Here, the prospect of a genuine or sincere mistake becomes a very real possibility. These hadith are known as *al-khabar al-ahad* (singular report) or *al-khabar al-wahid* (one report), although in the context of *hadith* classification, this can also apply to any number of narrators greater than one in cases where the *hadith* did not otherwise satisfy the conditions of being *mutawatir*.[16] This matters because a significant majority of *sahih hadith* are actually *ahad* in their narration. The stringent requirements surrounding *mutawatir* classifications means that only very few *hadith* achieved such status. Brown argues that such *hadith* 'yield only strong probability (*zann rajih*) and not total certainty (*yaqin*) that they were truly the commands of the Prophet.' He goes on to note:

> Law has always been a central part of the Islamic faith tradition, but it has not required total certainty. The different Sunni legal schools, for example, accepted that differences of interpretation could exist regarding the sources of the law, and the dubious authenticity of some of those sources itself left room for further doubt.[17]

This poses serious questions for the manner in which *ahad* narrations should be treated, which Bin Salman noted in his interview. 'The *ahad* is not as compelling as the *mutawatir hadith*,' he said. 'This type of *hadith* is unreliable whatsoever, in the sense that its veracity is not established and that it isn't binding.'[18] The extent to which law should be derived solely from *ahad* narrations is unclear, undefined, and contested among scholars.[19] The four major schools of Sunni of jurisprudence, for example, differ in their views about what conditions must be met before an *ahad hadith* is relied upon.[20] Whilst their exact constructions for inclusion criteria sit beyond the scope of this chapter, it is instructive to note that even the major schools of Sunni thought differed in their approach to this issue although its use in law is both widespread and mainstream.

Hudud *punishments and* ahad *narrations*

The prospect of doubt in *ahad* narrations means that extreme caution should be exercised because punishments in relation to the *hudud* (singular: *hadd*) are irreversible once imposed. Indeed, some of Islam's most controversial and—as deemed by modernist Muslims, problematic—punishments come from the *ahad hadith*. These relate to punishments such as stoning adulterers and executing apostates. Each of these falls under a category of crime known as the *hudud*, which are specific offences within the Islamic penal code where the crime is deemed to have been committed directly against God himself. The Quran explains about the *hudud*, 'these are the limits set by Allah, so do not transgress them. And whoever transgresses the limits of Allah, they are the [true] wrongdoers.'[21]

There are seven types of *hudud* crimes stipulated in Quran, which include: (i) *ridda*/*irtidad* (apostasy); (ii) *baghy* (transgression/rebellion); (iii) *hiraba* (traditionally held to mean 'highway robbery' or 'waging war against society,' which is interpreted by scholars to cover contemporary crimes of assassination, killing civilians, terrorism, and sexual assault, as all involve the violent assailing of the rights of another); (iv) *sariqa* (theft, under specific circumstances); (v) *zina* (heterosexual intercourse outside of marriage including both adultery and fornication); (vi) *qadhf* (slandering another person's sexual behaviour); and (vi) *shurb al-khamr* (drinking alcohol).[22]

Whilst the Quran identifies these crimes, it does not always stipulate the punishment. Instead, these usually come from the *hadith* and range to include: flogging, amputation of limbs, stoning to death, and execution.[23] 'Once a *hadd* crime is committed, no one, including the Prophet himself, can protect the perpetrator from the harsh penalty,' writes Tarek Badawy. 'The penalties are not subject to negotiation or settlement and there are no minimum or maximum sentences.'[24]

Yet, almost all of the crimes listed above are subject to punishments coming from *ahad* narrations—not the Quran. Punishments for *hiraba* and *sariqa* offences are clearly stipulated in the Quran, subject to various conditions. The same is true for *qadhf*. These punishments range from execution for *hiraba* (subject to different methods), amputation for *sarqiya*, and lashes for *qadhf*.

With other offences, however, the Quran is silent on the punishment and, in some cases, is also ambiguous on the nature of the offence. For example, it is often held that Islam imposes a death penalty for apostasy although scholars have argued that this should not be considered in the context of personal belief systems, but from the perspective of high treason.[25] Moreover, although the Quran condemns those who reject faith, it does not anywhere stipulate a punishment for such people. Indeed, numerous Quranic injunctions instead emphasize mercy, compassion, and a lack of compulsion in personal faith. Similarly, whilst the Quran forbids the consumption of alcohol and heterosexual intercourse outside of marriage, again, it does not stipulate a punishment for these offences. All of the current punishments are derived from *ahad hadiths*.

With regards to *zina* there is a broad consensus that illicit intercourse between unmarried partners should be punished by flogging whilst extra-marital intercourse is punished by stoning to death.[26] For the consumption of alcohol, flogging is held to be the most common punishment although scholars disagree over the exact number, with some settling on 40 whilst others have suggested 80. It is in these areas of ambiguity and doubt that difficulties arise for Mohammed bin Salman. He argues that:

> The government, where Sharia is concerned, has to implement Quranic regulations and the teachings from *mutawatir hadiths*, and to look into the veracity and reliability of *ahad hadiths*, and to disregard [them] entirely, unless if a clear benefit is derived from it for humanity. So, there should be no punishment related to a religious matter except when there is clear Quranic stipulation.[27]

He is therefore arguing that in cases where ambiguity exists, the presence of doubt should override the implementation of a ruling unless there is a clear and obvious benefit to be derived from having it. In this respect, he is invoking a jurisprudential concept known as *al-maslāha al-mūrsalāh*, which means to act in the overall public good, or public interest.[28] Within the context of Islamic law, this means doing so in a way that promotes the overall aims and objectives of the sharia, which are known as the *maqasid al-shariah*.[29]

Luqman Zakariyah shows that a general maxim operates within the sharia known as *al-ḥudud tudra bi-sh-shubhat*, which means that *hadd*

punishments should be averted in the face of doubt.[30] Whilst this mostly applies to cases where definitive proof cannot be established, with the onus being on courts to then err on the side of the defendant, Zakariyah also shows that it can apply in cases where two or more pieces of scripture conflict. 'Where two texts appear seemingly contradictory, such as a verse that stipulates cutting off a thief's hand as punishment for thievery, and a *hadith* which says that a father owns his son's property. Thus, if a father steals his son's property, he will not attract a *ḥadd* penalty because of the doubt inherent in the legitimacy or illegitimacy of the property,' he writes.[31] In this case, there is scriptural ambiguity over the particular details of the punishment, which is enough for Hanafi scholars to argue for the presence of enough doubt to suspend the *hadd*. Similarly, the Shafi'i school found that if scholars had a legitimate disagreement over a particular matter—for example, with regards to 'temporary marriage' (known as *muta*)—then even if individuals went through the process despite believing it to be wrong, the presence of scholarly dispute would constitute enough doubt to suspend the *hadd*.[32] Hence, in this case, if a couple entered into a temporary marriage and then consummated that relationship, regardless of their personal beliefs, the presence of dispute in this area regarding the validity of such relationships would mean the couple should be spared the punishments associated with *zina*.

This allows Bin Salman to develop a more temperate and hospitable legal environment within the kingdom, overcoming some of the harsher aspects of the sharia. Indeed, he argues that doggedly implementing punishments on the basis of *ahad* narrations may in itself represent a violation of the sharia. He told Mudaifer:

> To implement a penalty on the pretext that it is a Sharia penalty while there is no stipulation for such a penalty in the Quran or in the *mutawatir hadith*, then this is also a falsification of the Sharia. When God Almighty wanted us to punish a certain religious crime, he stipulated this clearly. And when he prohibited a deed and promised punishment in the hereafter for doing it, he did not ask us as humans to penalise that deed. He left the individual the choice [to repent] knowing that there would be a day of reckoning, and in the end God is Merciful.[33]

It is in this space of ambiguity and possible error that Bin Salman is encouraging Saudi scholars to adopt more temperate and progressive interpretations of Islamic law. The intellectual and legal tradition he is seeking to build is not entirely novel and instead builds upon the work of 19th century neo-revivalists such as Mohammad Abduh (1849–1905) and Rashid Rida (1865–1935). Abduh was initially a student, and later a scholar at al-Azhar—one of Sunni Islam's most revered and respected institutions of higher education which is based in Cairo. There, he had been deeply influenced as a student by another reformist thinker, Jamal al-Din al-Afghani (1839–1897).[34]

Abduh was himself ambivalent about the extent to which *ahad* narrations should be relied upon. 'In the case of non-*mutawatir* hadiths, whoever feels comfortable with them can believe them,' writes Brown about Abduh's approach. 'But no one can be forced to believe in them or be declared an unbeliever for rejecting them.'[35] Abduh therefore campaigned for a kind of Islamic modernism that brought together Western scientific inquiry and material progress with Islamic principles, prompting him to argue that 'laws should change in accordance with the conditions of nations.'[36]

The essence of their belief was that the stagnation of Muslim society during the European Enlightenment and Industrial Revolution stemmed from a lack of *ijtihad*—a process of independent juristic reasoning by a competent scholar who uses scriptural sources to deduce legal rulings.[37] This represents a dynamic, critical, and rationalist approach to Islamic text where scholars continually reassess scripture in light of the prevailing conditions, thereby promoting a *neo-mu'tazilah* tradition—a school of thought that prioritizes jurisprudential rationalism.[38] By contrast, they argued that Muslims had fallen into *taqlid*, where one person blindly follows the teachings of another. This was held to have created a rigid, arcane legal structure in Islamic jurisprudence that is incapable of responding to events as they arise.[39]

Mohammed bin Salman's statements about *ijtihad* and *taqlid* mirror this approach. When asked by Abdullah al-Mudaifer whether he followed the teachings of Mohammed ibn Abd al-Wahhab, he responded:

> When we commit ourselves to following a certain school or scholar, this means we are deifying human beings. God Almighty did not put a barrier between Himself and people.
>
> […]
>
> If Sheikh Mohammed bin Abd al-Wahhab were with us today and he found us committed blindly to his texts and closing our minds to interpretation and jurisprudence while deifying and sanctifying him he would be the first to object to this. There are no fixed schools of thought and there is no infallible person. We should engage in continuous interpretation of Quranic texts and the same goes for the sunnah of the Prophet, and all fatwas should be based on the time, place, and mindset in which they are issued.[40]

This is another statement invested with profound significance because, of course, the teachings of Ibn Abd al-Wahhab have shaped the religious contours of the Saudi state ever since its inception. Questioning his status is not something many Western observers of Saudi Arabia ever expected. 'MBS's religious reforms look more like a public relations stunt than a genuine transformation,' Stephane Lacroix wrote in 2019 when considering the country's religious reforms. 'No such transformation can happen without an open and frank debate about the Wahhabi tradition—and this is precisely what MBS is not willing to have.'[41]

That is precisely the debate Bin Salman was having in his 2021 interview, although it is important to stress that he was not rejecting Ibn Abd al-Wahhab's teachings outright. Instead, he sought to situate them within their hermeneutic context. Rules must be continually examined within their appropriate time and prevailing political climate—both domestic and international. Moreover, although the teachings of Ibn Abd al-Wahhab may have served the Saudi state well thus far, no one is infallible, he notes. The passage above therefore represents a revolutionary statement for a would-be Saudi monarch, marking a decisive break with the prevailing approach to religious orthodoxy that has defined the state since its inception.

Bin Salman is also careful to stress that he is not calling for Saudi Arabia to wantonly abandon its culture, history, religious customs, or traditions. What he wants is for Islamic law to be refracted through those

aspects of Saudi identity in line with modern precepts. ‘Our traditions and our culture and heritage, and most importantly, our Islamic heritage, all of these constitute a big part of our identity,’ he argues. ‘I believe that our identity is very strong, and we are proud of it… the movement taking place in Saudi Arabia is based on our Saudi identity, which is derived from our Islamic, Arabic, and historical culture and heritage.’[42]

Abduh’s most famous student, Rashid Rida, had similarly argued that their revivalist project should strive to adopt the best of Western culture whilst maintaining Egypt’s distinct cultural, religious, and Arab character. Writing in *al-Manar* (The Beacon; published 1898–1935) a monthly magazine which enjoyed a wide subscription throughout the Levant, Rida stated that his model for revival was based on ‘preserving our nation’s religion, culture, laws, and language, and its national character.’[43] This would create a ‘glorious renewal, one that combines the modern and the old.’[44]

Yet, it was not just 19th-century revivalists whose intellectual legal tradition Mohammed bin Salman shares. The 20th-century Egyptian scholar and head of al-Azhar, Mahmud Shaltut (1893–1963), was also a modernist in the same mould of Afghani, Abduh, and Rida. By the time he ascended to the leadership of al-Azhar in 1958, Egypt found itself in a tumultuous situation.[45] The Free Officers’ Revolution of 1952 had taken place, ultimately bringing Gamal Abdel Nasser to power in 1956. The Muslim Brotherhood had tried to assassinate him two years earlier, precipitating a massive backlash against the Islamic movement in Egypt. He shared many of the revivalist traditions of his predecessors and sought to place Egyptian Islamic jurisprudence onto a modern footing. He generally sought to minimize the number of issues that could be classed *haram* (forbidden) and similarly tried to restrict the things which other scholars have said lead one into disbelief. For example, a famous *hadith* states that a person who misses three consecutive days of obligatory prayers has strayed into disbelief. For Shaltut, this was an allegorical warning, underscoring the importance of prayer and the gravity of its abandonment.[46]

The reception and development of Bin Salman’s reforms

Mohammed bin Salman's comments to Abdullah al-Mudaifer were enthusiastically supported by neighbouring states such as the United Arab Emirates. Senior Diplomatic Advisor to the President, Anwar Gargash—a hugely influential figure within the region's diplomatic corps—dressed Bin Salman's comments in encomium. Describing the interview as delivering an 'important message and an optimistic vision' for the region, Gargash predicted that Saudi Arabia is moving towards 'radical change and a renaissance.'[47] This kind of overture reflects a broader optimism within the UAE about the prospect for meaningful change in Saudi Arabia under the leadership of its current crown prince.

Those words of encouragement might be expected from one of Saudi Arabia's most important regional allies—but support also came from unlikely quarters. Tawfiq Hamid, an erstwhile member of Egypt's armed Gamaa Islamiyya movement and a onetime close associate of Ayman al-Zawahiri, the former leader of al-Qaeda, also enthusiastically embraced MBS's reforms.[48] 'Without exaggeration, I can say that what Prince Mohammed bin Salman said is in many ways the most important step taken in the history of modern Islam,' he wrote. 'Thank you, Mohammed bin Salman, for your historic step in which you charted a better future for Islam and the world.'[49]

For his part, Mohammed bin Salman has been clear—not only does he want to enact these reforms because he believes in them, but also because they will aid his broader ambitions to diversify the Saudi economy under Vision 2030. 'If you want millions of jobs, if you want unemployment to decline, if you want the economy to grow, if you want your income to improve, you must eradicate these [extremist] projects for other interests,' he argues. '[Extremism] has resulted in terrible repercussions and we have witnessed its consequences in the previous years…[because of it] we cannot grow, we cannot attract capital, we cannot have tourism, we cannot progress with such extremist thinking in Saudi Arabia.'[50]

Entertainment has been an integral part of Vision 2030, designed to boost tourism to the country whilst simultaneously encouraging young Saudis to spend their money at home in support of domestic industries. Previously, Saudis wanting to unwind would travel to Bahrain, the UAE, Egypt, Jordan, or Lebanon in pursuit of a more relaxed environment, which represented a significant drain on the local economy. The centrally planned

‘Riyadh Season,’ an annual festival of entertainment running from October to March (outside of the summer’s crippling heat), features attractions such as Riyadh Boulevard, a shopping district modelled on midtown Manhattan. It has also hosted concerts from the likes of Bruno Mars, John Legend, Alicia Keys, and the DJ David Guetta. There are also car exhibitions, a Winter Wonderland, and ‘Combat Field,’ which describes itself as ‘the world’s first war game thematic amusement park’ where participants can ‘step into the reality of your favourite games.’[51]

None of this would be possible without clerical endorsement in a country where the religious establishment has traditionally been deeply suspicious of outside influences. For example, one of Saudi Arabia’s key figures in the *Sahwa* (awakening) movement of the late 1980s and early 1990s, Safar al-Hawali, argued the following:

> I have seen that the reason for each deviation, humiliation, defeat and fragmentation in our life, is [a result of] living far from the *ahl al-sunnah wa-l-jama‘ah* [people of the prophetic tradition and (Islamic) community] in *aqida* [doctrinal belief], behaviour, and way of reform.[52]

Clerics like him have long been dismissed by successive Saudi kings but have been somewhat tolerated on the margins of civic society. Bin Salman has acted much more brutally against actors like former *Sahwa* members and other activists under the pretext of fighting extremism, by arresting them. This has been a consistently clumsy, draconian feature of his reform agenda that continues to overshadow it. ‘These people should not be representing our religion, nor our divine principles in any way, shape or form. This constitutes a crime that has resulted in the creation of terrorist groups that have killed people throughout the world,’ Bin Salman argues. ‘Any person that adopts an extremist approach, even if he was not a terrorist, is a criminal and will face the full force of the law.’[53]

The point is that comments such as Hawali’s were hardly out of place in the environment of the time. Now, by contrast, Mohammed bin Salman has actively promoted clerics who are keen to support his agenda, thereby tipping the balance of power within the religious establishment. That much can be seen from the 2021 promotional video for ‘Combat Field,’ in which a former imam of Islam’s most holy site, the mosque in Makkah, is

featured.[54] More than that, Adil al-Kalbani was the first Black imam to lead prayers at the mosque in 2008, after being asked to do so by King Abdullah.[55] The accompanying international attention meant that his appearance in the video, where he features dressed in military fatigues leading a battle, was especially controversial.[56] Shortly after the promotional video was posted on Twitter by the Chairman of the General Authority for Entertainment, Turki Al al-Sheikh, al-Kalbani replied by joking, 'do you think I'm ready for Hollywood?'[57]

Yet al-Kalbani had already been challenging traditional orthodoxy before appearing in the video. In 2019, he condemned male 'paranoia' about the presence of women in mosques who are not separated behind a physical barrier in a series of broader comments commending Bin Salman's attempts to empower women in socio-economic matters. 'Sadly today, we are paranoid—in a mosque—a place of worship. [Women] are completely separated from men, they cannot see them and can only hear them through microphones or speakers,' he said.[58]

More dramatically, Mohammed bin Salman has also been working closely with Mohammed bin Abd al-karim al-Issa, Secretary-General of the Muslim World League, which is headquartered in Makkah. In 2017, when he was still Deputy Crown Prince, Bin Salman launched the Ideological War Centre (IWC), which is housed within the Ministry of Defence and is concerned with undermining extremist ideology.[59] Al-Issa now heads the initiative—demonstrating the trust Bin Salman has in his capabilities to lead a progressive theological charge that also counteracts extremism. Al-Issa epitomizes precisely the kind of loyalist, royalist-aligned, cleric Bin Salman wants to cultivate under his leadership.

In this regard, al-Issa has also supported Bin Salman's other reformist initiatives, which have included bringing American Christian evangelists and Christian Zionists to the kingdom, led by Joel Rosenberg on trips in 2018 and 2019. Among the attendees on one such trip was Mike Evans, founder of the Jerusalem Prayer Team, who describes himself as 'a devout American-Christian Zionist leader.'[60] Al-Issa also led a delegation of Muslims to Auschwitz, thereby becoming the most senior Islamic cleric to have visited the Nazi death camp, where he spoke about the need for peaceful coexistence.[61] 'I believe that by paying my respects to the victims of Auschwitz, I will encourage Muslims and non-Muslims to embrace

mutual respect, understanding and diversity,' he said before embarking on the trip.[62]

Conclusion

It is clear that Mohammed bin Salman is undertaking an extensive, expansive, and comprehensive reform of the Saudi judicial system. At their core, his efforts are informed by a desire to not only modernize and liberalize aspects of Islamic jurisprudence within the kingdom, but to also make the legal system more predictable. This will bring about two kinds of stability which are essential to Saudi Arabia's future. The first is insulating society against extremist preachers who have often become the synecdoche —where a part of something defines it in its entirety—by which the country is understood. This will create a more conducive environment for investment and trade. The second is related to that, where a more transparent and predictable legal framework will encourage inward investment, stimulating the kind of economic growth and diversification Mohammed bin Salman will need, if he is to realize the full ambitions of his Vision 2030 agenda.

These reforms have been underway for some time in one form or another. After the religious police were stripped of their powers of arrest in 2016, other changes swiftly followed, including those relating to women's rights such as driving or in other aspects relating to the 'guardianship' system. Bin Salman has gone further still in his April 2021 interview than any previous Saudi monarch or crown prince. He has directly addressed thorny issues regarding the role of Mohammed ibn Abd al-Wahhab's teachings in the kingdom, their relevance, and applicability today. In doing so, he has sought to recast the jurisprudential framework through which Islamic rules are extrapolated and applied, by challenging the basis of *ahad hadith*.

This worries religious conservatives, who suggest Bin Salman is recklessly junking the entire system on which the Saudi kingdom has been predicated since its inception. 'Our constitution is the Quran, it has been, it still is, and will continue to be so forever. And our basic system of governance stipulates this very clearly,' Bin Salman insists, in response to such fears.[63] Yet he is also clear that change is coming to the way in which the hermeneutical structures of Saudi Arabia's religious tradition are

constructed. Yes, it will be distinctly Saudi, but it will also be fashioned in the vision Bin Salman is forging for it in the modern world, and he doesn't believe there is anything to worry about in this respect. 'If your identity cannot withstand the diversity of the world, it means your identity is weak and you need to do without it,' he said. 'And if your identity is robust and authentic and you can grow and develop it, and promote its positive sides, then you will have preserved and strengthened your identity.'[64]

NOTES

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3. ISLAMIST PARTIES IN LIBYA AFTER GADDAFI

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4. ORGANISING SHARIA POLITICS AND GOVERNING VIOLENCE

1. The opinions and conclusions expressed herein are those of the author and do not necessarily represent the views of either the US Marine Corps or any other US governmental agency. Any references to this piece should include the foregoing statement.
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14. Mampilly. *Rebel Rulers* (p. 4).
15. Ibid., p. 8, 53.
16. Ibid., p. 53–55.
17. Ibid., p. 17, 62–65.
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    Al-Shabaab, though it does target locals who resist its governance practices, tends to better control and limit its violence and has not pursued to the same degree as Islamic State mass violence against 'recalcitrant' groups.
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27. Al-Shabaab communiqué (2008, November 14), 'The Leadership of [Al-Shabaab] Continues Calling the People to God and Educating Them after the Conquest of Most Areas of Lower Shabelle' (Arabic).
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29. Al-Shabaab communiqué, 'The Leadership of [Al-Shabaab] Continues Calling the People to God.'
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31. Ibid.
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9. WOMEN IN JIHADIST PRACTICES OF GOVERNANCE

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10. HEZBOLLAH'S PARALLEL GOVERNANCE STRUCTURE IN LEBANON

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11. IDLIB AND THE HAYAT TAHRIR AL-SHAM CONUNDRUM IN SYRIA

1. See Crisis Group Commentary (2020, February 20), ‘The Jihadist Factor in Syria’s Idlib: A Conversation with Abu Muhammad al-Jolani.’
2. HTS side-lined some hard-line foreign clerics such as Abu Yaqzan, and Abu Shueib, but others, such as Abu al-Fateh al-Farghali, remain with HTS but have been marginalized within the group. See Crisis Group Report (2020, May 14). ‘Silencing the Guns in Syria’s Idlib.’
3. See Crisis Group Commentary (2020, February 20), ‘The Jihadist Factor in Syria’s Idlib: A Conversation with Abu Muhammad al-Jolani.’
4. See Attoun’s public speech titled ‘Jihad and Resistance’ (Arabic).
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7. See Crisis Group (2020, February 6), ‘The Eleventh Hour for Idlib, Syria’s Last Rebel Bastion,’ and see HRW report: https://www.hrw.org/report/2020/10/15/targeting-life-idlib/syrian-and-russian-strikes-civilian-infrastructure
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11. Ankara notes that their support to more moderate rebel groups to root out HTS has failed in the past and any direct Turkish intervention against HTS would entail a risky military operation that could leave its forces vulnerable to asymmetrical attacks by jihadist militants.
12. Author interviews with Turkish officials, Ankara, 2019-2020.
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15. See Noah Bonsey and Dareen Khalifa (2021, February 3), ‘In Syria’s Idlib, Washington’s Chance to Reimagine Counterterrorism,’ Crisis Group commentary.
16. Author interview, Jolani, January 2020.
17. Jolani was harshly criticized for ‘diluting jihad’ by some prominent jihadists like Abu Julaybib, a former close aide to Abu Musab al-Zarqawi who left the group and was later followed by two other senior leaders, Abu Khadija al-Urduni and Abu Hammam al-Shami. See Charles Lister (2018, February), ‘How al-Qa’ida Lost Control of its Syrian Affiliate: The Inside Story.’
18. HTS disavows Maqdisi (2020, October 11). Syria TV.
19. Author interview, Jolani, January 2020.
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22. Author interview, Idlib, January 23, 2020.

23. See Crisis Group Middle East & North Africa Report no. 197 (2019, March 14), 'The Best of Bad Options for Syria's Idlib.'
24. Author interview, senior HTS official, Idlib, June 2019.
25. See Haid Haid (2017, November), 'Who Is Assassinating Hay'at Tahrir Al-Sham's Leaders?' Chatham House.
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31. Author interview, senior HTS official, Idlib, June 2019.
32. Author interview, senior HTS officials, Idlib, June 2019; January 2020.
33. Author interviews with salvation government ministers and staff, Idlib, 2019–2022.
34. Author interview, Abu Mohammad al Jolani, HTS leader, Idlib, January 23, 2020; author interview, HTS official, Idlib, June 2019.
35. Author interviews, HTS leadership, Idlib, June 2019 and January 2020.
36. Two of HTS's controlled crossings into regime areas of Hama and Aleppo were shut down as result of the fighting. In April 2020, HTS attempted to open a new crossing with government-controlled areas but was faced with local protests objecting to the decision. See 'After controversy and repression threats… HTS postpones Saraqib crossing's opening.' (2020, April 18). Enab Baladi.
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39. Author interview, HTS commander, Idlib, October 2019.
40. Author interview, senior Salvation Government official, Idlib, June 2019; author interview, UN official, southern Turkey, January 2020.
41. Author interviews, humanitarians, Gaziantep, 2022.
42. Author phone interview, UN official, March 2020.
43. Author interview, humanitarian worker, Gaziantep, 2020.
44. Author interviews, HTS leadership, Idlib, 2021.
45. Author interviews, medical workers, Idlib 2019–2020.
46. Author phone interview, Syria analyst, March 2020. Author phone interview, April 2020.
47. Author interview, HTS leader, Idlib, October 2021.
48. Author interview, Jolani, Idlib, December 2021.
49. Author interviews, Christians in Idlib, December 2020.

50. Describing their broader approach to Islamist governance, Jolani said, ‘Governance should be consistent with Islamic sharia [law], but not according to the standards of Daesh [ISIS] or even Saudi Arabia.’ Author interview, Idlib, February 2022.
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16. 'EXTREMISM IN ALL THINGS IS WRONG'

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